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U. S.

INTERIOR

REPORT

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31st Congress, 1st Session. [SENATE.] Ex. Doc. No. 34.

U.S. Dept. of the Interior. F786 U444

REPORT

OF

THE SECRETARY OF THE INTERIOR,

IN ANSWER TO

A resolution of the Senate calling for information in relation to the operations of the commission appointed to run and mark the boundary between the United States and Mexico.

FEBRUARY 28, 1850.
Referred to the Committee on Finance.

MARCH 1, 1850.
Ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, February 27, 1850.

SIR: In compliance with a resolution of the Senate of the 19th instant, I herewith transmit a copy of all the correspondence on file in the department relating to the operations of the commission appointed, pursuant to the fifth article of the treaty of Guadalupe Hidalgo, to run and mark the boundary between the United States and Mexico, showing the progress made in executing said commission, and embracing a detailed statement of the amount of money expended therein.

The reports of the commissioner are very vague and unsatisfactory, and I am not in possession of the neccssary data on which to found an estimate of the amount which may be required for the completion of the work. Among the papers herewith, is a letter from Colonel Abert, of the corps of topographical engineers, enumerating the difficulties in the way of making up such estimate here. For the current fiscal year, it is supposed that the sum of fifty thousand dollars will be necessary.

I am, sir, with much respect, your obedient servant,

T. EWING, *Secretary.*

HON. MILLARD FILLMORE,
President of the Senate.

DEPARTMENT OF STATE,
Washington City, January 19, 1849.

GENTLEMEN: You will receive herewith the list of instruments belonging to this department furnished by Major Graham on the 29th December last.

Major Graham and Major Emory will proceed immediately to New York, and, if they should deem it advisable, to the other cities where these instruments are deposited; and Major Graham, in whose custody they now are, will deliver such of them to Major Emory, the chief of the corps of topographical enginers designated to accompany the commissioner and surveyor under the 5th article of the late treaty with Mexico, as he may deem necessary for correctly running and marking the boundary line between the two republics, taking duplicate receipts for the same. Major Graham will deliver one of these receipts to the department, and preserve the other.

Major Emory will then proceed at once to cause any or all of the instruments so delivered to him to be repaired, if need be, and fitted for the survey of the Mexican boundary, and to be packed and placed in boxes for transportation on mules.

All the actual expenses incurred in executing these instructions, as well as the personal expenses of Majors Graham and Emory, will be paid out of the appropriation made on the 12th August last, not exceeding $50,000, "for the expenses of running and marking the boundary line between the United States and Mexico, and paying the salaries of the officers of the commission." Accounts of these expenses, properly vouched, will be settled by the Fifth Auditor.

Major Emory, after having received and examined such instruments as he may require, will report immediately to this department what other instruments he may deem necessary for the survey, together with their probable cost, and where they may be obtained the most speedily and upon the best terms.

I am, gentlemen, respectfully, your obedient servant,

JAMES BUCHANAN.

Major J. D. Graham and Major William H. Emory,
of the Topographical Engineers of the U. S. Army.

Department of State,
Washington, January 24, 1849.

Sir: The fifth article of the treaty requiring that the commissioners and surveyors of the United States and Mexico respectively should meet at San Diego before the 30th May, 1849, no time should be lost in organizing the commission on our part, preparatory to its departure for the place of destination. As you will be held responsible for the able and faithful execution of the important public trust confided to you by this article of the treaty, the President deems it proper to leave to you the organization of the commission, enjoining it upon you, at the same time, to employ as few persons to assist you as may be compatible with the successful and efficient performance of your duties, and to study economy, as far as practicable, in all your expenditures.

The organization will be effected solely with a view to run and mark the boundary line between the two republics, although the selection of individuals for this purpose may be made with reference to the incidental collection of information relative to the construction of "a road, canal, or railway" along the river Gila, as provided for by the sixth article of the treaty.

In organizing the commission, you are referred for any information which you may deem necessary to Andrew B. Gray, esq., who has been appointed surveyor under the treaty, and Major William H. Emory, of the topographical engineers, whom the President has designated to be "chief astronomer and head of the topographical scientific corps of the commission."

Congress, by the civil and diplomatic act of August 12, 1848, has appropriated, "for the expenses of running and marking the boundary line between the United States and Mexico, and paying the salaries of the officers of the commission, a sum not exceeding fifty thousand dollars;" and the President considers that he will best effectuate the intentions of Congress by directing that the expenses of the commission, for one year, shall be so graduated as not to exceed this appropriation.

You will be charged exclusively with the disbursement of the money thus appropriated, with the exception of the sum which may be necessary to execute my instructions of the 19th instant to Majors Graham and Emory, relative to the delivery of astronomical instruments from the former to the latter, for the use of the commission.

Your salary as commissioner, as well as that of the surveyor, will commence from this date. In case Congress should not declare by law what these salaries shall be, they will be fixed by the President, before the departure of the commission from the United States. Under the head of contingent expenses of the commission will be embraced your reasonable personal expenses while in service, and those of the surveyor, chief astronomer, and the other officers of the topographical engineers who may be detailed to assist you in the field; the pay and subsistance of assistant surveyors, chain carriers and laborers; and the incidental and necessary expense of exploring parties; the purchase of stationery, of tents and camp equipage; and the purchase or hire of horses, mules, and vehicles for the transportation of the same.

Of all these expenses you will keep a regular account, which, together with the necessary vouchers, you will render and transmit quarterly to the Fifth Auditor of the Treasury for settlement; and to meet the same, as likewise the payment of the salaries, you will, from time to time, as occasion may require, draw upon the department, taking care not to exceed in the amount drawn at any one time the sum which will be required to meet the actual and necessary expenses of the commission.

After the commission on the part of the United States shall have been properly organized under your direction, and before your departure from the country, you will receive further instructions.

I am, sir, respectfully, your obedient servant,

JAMES BUCHANAN.

JOHN B. WELLER, Esq., "*Commissioner for running the boundary line between the United States and the Republic of Mexico, under the fifth article of the treaty with that republic concluded on the 2d February,* 1848."

DEPARTMENT OF STATE,
Washington, 13th February, 1849.

SIR: In my instructions of the 24th ultimo, I promised to send you further instructions before your departure from the United States. I now

proceed to perform this duty. The fifth article of the treaty with Mexico of the 2d of February, 1848, as amended by the Senate, (two copies of which are herewith transmitted,) clearly prescribes your duties.

This article places you in a highly responsible position; because it declares that the boundary line between the two republics which shall be run and marked by the joint commission shall be deemed a part of the treaty, "and shall have the same force as if it were inserted therein." The action of the commission, therefore, will be final and conclusive; and the President has full confidence that, in the discharge of your important duties, your conduct will be characterized by prudence, firmness, and a conciliatory spirit. While he desires no advantage over the Mexican government, you will take care, in running the boundary, that all our just rights under the treaty shall be maintained. Your first duty will be to run and mark that part of the boundary consisting of a straight line from a "point on the coast of the Pacific ocean, distant one marine league due south of the southernmost point of the port of San Diego," to "the middle of the Rio Gila, where it unites with the Colorado."

It is not apprehended that you will encounter much difficulty in determining either of these points. This southernmost point of the port of San Diego is to be ascertained by the treaty "according to the plan of said port made in the year 1782 by Don Juan Pantoja, second sailing-master of the Spanish fleet, and published at Madrid in the year 1802, on the atlas of the voyage of the schooners *Sutel* and *Mexicana*, of which plan a copy is herewith added, signed and sealed by the respective plenipotentiaries." You are furnished with a certified copy of this plan, which appears to fix precisely what is the southern limit of the port of San Diego; and a point on the Pacific "one marine league south of this is the place of beginning."

The middle of the Rio Gila, where it unites with the Colorado, being a natural object, there can be but little difficulty in ascertaining this point. The duties of the surveyor are sufficiently indicated by the treaty itself.

Those of Major William H. Emory, the chief astronomer, will be to determine all astronomical points, and to direct the mode of running all astronomical lines on the boundary.

Lieutenant J. W. Whipple, and Brevet Captian E. L. F. Hardcastle, of the corps of topographical engineers, have been designated, under the authority of the President, to accompany Major Emory, as his assistants.

The remainder of the boundary runs along the middle of the Rio Gila and the Rio Grande, with the exception of that portion of it between "the point where the Rio Grande strikes the southern boundary of New Mexico; thence westwardly along the whole southern boundary of New Mexico, (which runs north of the town called Paso,) to its northern termination; thence northward, along the western line of New Mexico, until it intersects the first branch of the Rio Gila, (or, if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same.") In regard to this latter portion of the line it is impossible to give you specific instructions, for the want of accurate geographical information. It can only be ascertained by examinations and surveys upon the ground. Besides, the treaty itself declares that the "southern and western limits of New Mexico mentioned in this article are those laid down in the map" of the United Mexican States published at New York, in 1847, by J. Disturnell of

which a copy was added to the treaty, bearing the signatures and seals of the plenipotentiaries. You are now furnished with a certified copy of this map.

You are also furnished, as bearing upon this subject, with the copy of a map of New Mexico which was attached to the atlas to Thompson's edition of the Geographical and Historical Dictionary of America and of the West Indies, by Colonel Don Antonio de Alcedo, published at London, in 1812—a work of the highest authority.

My successor in office will most probably obtain further information in regard to this portion of the line, and, as the work progresses, will doubtless deem it proper to give you further instructions. I deem it unnecessary, therefore, to say more at present on this subject. I need scarcely add that the President expects you will perform your duties under the treaty with as little delay as practicable, consistently with accuracy.

As it is indispensable that each government should be furnished with a full and circumstantial record of the proceedings of the commissioners, they will doubtless order such record to be kept in duplicate. This duty will naturally devolve upon the clerks appointed on both sides, under the supervision of the respective commissioners, who will be responsible for the accuracy of such records, and for their safe delivery, properly certified, to the respective governments, at the expiration of the commission. You will, with that view, provide the clerk appointed on the part of the United States with suitable instructions respecting this and any other duty which it shall be deemed proper to assign to him.

As soon as the boundary shall have been ascertained and marked, you will cause a true and accurate map to be made of the country through which it passes, in its entire extent. A duplicate copy of said map, certified by the commissioners and surveyors on both sides, will accompany the records of the proceedings of the commission.

The joint report or declaration by the commissioners of "the final result agreed upon by them," under the fifth article of the treaty, will also be transmitted to the Department, to be filed with the journal or record of their proceedings and the map.

As soon as the commission shall be organized, you will transmit to this department a list containing the names of the several persons composing it, the nature of the duties assigned to each individual, and the compensation allowed to them respectively; and will also from time to time inform the Secretary of State of any change which you may, by circumstances, be induced to make in its organization. The sixth article of the treaty provides that "if, by the examinations which may be made, it should be ascertained to be practicable and advantageous to construct a road, canal, or railway, which should in whole or in part run upon the river Gila, or upon its right or its left bank, within the space of one marine league from either margin of the river, the governments of both republics will form an agreement regarding its construction, in order that it may serve equally for the use and advantage of both countries." Although you are not required to make the examinations referred to in this article under the appropriation made by Congress on the 12th of August last, which is limited to "the expenses of running and marking the boundary line," yet the President would be gratified if you could cause these examinations to be made incidentally, without seriously interfering with your appropriate duties. The inquiry is one of great importance to the

country; and any information which you can communicate to the department on the subject will be highly appreciated by our fellow-citizens. Major Emory has received from Major Graham, under my instructions, all the instruments belonging to the department which he believed to be suitable for running the boundary line between the two republics.

In a report which he made to the department, dated at New York on the 4th instant, he states that these are not sufficient, and furnishes a list of those which will be required. Several of the latter he deems it indispensable that he should carry with him, to wit:

1 box chronometer	$285
1 heliotrope	100
1 reconnoitring glass	50
1 portable astronomical telescope	190
4 Nautical Almanes, 1849	10
1 copy Catalogue Stars, British Association	20
1 set of charts coast of California	2
1 Daniels's hygrometer	15
4 Hassler's Logarithms, at $1	4
6 thermometers, at $4	24
6 observing lamps	15
4 cases drawing instruments	40
4 bottles ether (sulphuric.)	
½ bushel plaster of paris.	
2 observing tents, at $40	80
1 equatorial stand, price estimated	100

In your absence, the President has not hesitated to advise him to purchase these instruments, not doubting that you would promptly pay for them out of the appropriation. As it will be impossible for him to reach New Orleans before the 28th instant, you will not take your departure thence until after his arrival.

The President has determined that your salary shall be at the rate of $—— per annum, and that of the surveyor at the rate of $—— per annum; but should Congress before its adjournment fix your salaries at different rates, this will be the guide in settling your accounts from the beginning.

The military escort, on the part of the United States, to accompany the commission, has been placed by the President under the direction of the Secretary of War.

I am, sir, very respectfully, your obedient servant,

JAMES BUCHANAN.

JOHN B. WELLER, Esq.

DEPARTMENT OF STATE,
Washington, March 15, 1849.

SIR: I have to inform you that Congress, at its late session, omitted to pass any act prescribing the amounts of the salaries of the civilians attached to the commission of which you are the head. Consequently, until this omission be remedied, compensation for your services as commissioner, and for those of Mr. Gray as surveyor, cannot be lawfully paid; and no

charge for salary, on the part of either of you, can properly form an item in the statement of your account to the Treasury. It will, therefore, be necessary, in any drafts which you may have occasion to make on this department for the purpose of carrying your instrnctions into effect, to make them, on their face, chargeable solely to the appropriation for the "*expenses* of running and marking the boundary between the United States and Mexico"—leaving the salaries to be settled at some future day by Congress.

I am, sir, respectfully, your obedient servant,

JOHN M. CLAYTON.

JOHN B. WELLER, Esq.,
Commisioner of the United States under the fifth article of the treaty of Guadalupe Hidalgo.

PANAMA, *March* 24, 1849.

SIR: Your note of this date, informing me that a whaler would be here in about ten days upon which I can secure passage for my party, at $250 each, to San Francisco, has been received. As I would probably have great difficulty in obtaining transportation from thence to San Diego, the point of destination, I cannot engage the vessel to which you allude.

As my party numbers some thirty-five persons, and a considerable amount of supplies, I prefer obtaining, if possible, transportation direct to San Diego. I will be obliged to you if you can facilitate my movements in this particular. As it is of the last importance to my government that the surveyor and myself should be at San Diego previous to the 30th of May next, I will thank you to secure passage for us on the first steamer which may come in.

Very respectfully, your obedient servant,

JOHN B. WELLER,
U. S. Commissioner.

WILLIAM NELSON, Esq.,
United States Consul.

PANAMA, *March* 27, 1849.

SIR: On the 16th January last, I was appointed by the President of the United States, with the consent of the Senate, to run the boundary between that government and the republic of Mexico, under the fifth article of the treaty concluded at Guadalupe on the 2d February, 1848. By the terms of that treaty, the commissioners are required to meet at San Diego, on the Pacific, previous to the 30th May next, and, under instructions to proceed to that point without delay, I reached this city on the 16th instant.

I have with me a full complement of engineers and employés, all of whom are necessary to enable me to execute the orders of the government. This party now numbers thirty-three persons, and three or four more may probably arrive in a few days. I have made every reasonable effort to secure transportation to San Diego, but thus far have wholly failed. You

are aware that the treaty under which I am appointed terminated a bloody war; and a failure to meet the commissioner on the part of Mexico at the time designated will produce delay, which may result in serious difficulty between the two governments.

The emigration to California is increasing so rapidly that it is of the utmost importance that the boundary should be established at once. The friendly relations between the two governments can only be maintained by clearly defining the rights of each. You will see, upon reflection, that delays and difficulties of the most harassing character will probably result from a failure on my part to meet the requisitions of the treaty. A steamer (the "California") belonging to Messrs. Aspinwall & Co., for whom, I understand, you are agent, is expected here daily. This vessel is connected with the government of the United States by a contract to transport the mail. I doubt not more than a sufficient number to fill her will be here, on her arrival, holding tickets from the company. I would regret very much to see those enterprising citizens delayed or disappointed; but it is, in my opinion, a case where private interest should yield to the public good. Seeing no other practicable way of getting to San Diego, I have to request that passages may be secured for myself and party as soon as she arrives.

You, as the representative of the United States here, will, I doubt not, feel every disposition to aid me in executing a most important commission; and I am confident, from their high reputation, that Messrs. Aspinwall & Co., if they were present, would not hesitate in directing room to be made for us.

I am, dear sir, very respectfully, your obedient servant,

JOHN B. WELLER,
United States Commissioner.

WILLIAM NELSON,
United States Consul, Panama.

PANAMA, NEW GRANADA, *May* 14, 1849.

SIR: As you have advised me that you cannot find transportation for more than ten of my party on the steamship "Panama," I desire that the following persons may be registered as passengers:

John B. Weller, Dr. E. K. Chamberlin, James Nooney, jr., William A. Taylor, D. Gahagan, A. B. Gray, William R. Kinder, H. H. Robinson, C. J. Whiting, Gilbert Murdoch, and two servants, (colored.)

So many inconveniences and delays will result from leaving a portion of my party here, that I must again request that every effort may be made to secure transportation on the "Oregon" for the remainder of the party. Nearly if not all the employés will be required very soon after I reach San Diego, and I dislike the idea very much of separating from them.

Very respectfully, your obedient servant,

JOHN B. WELLER,
United States Commissioner.

Captain STOUT,
Agent for Aspinwall & Co.

DEPARTMENT OF STATE,
Washington, June 20, 1849.

SIR: The President having thought proper to appoint you the commissioner on the part of the United States for running and marking the boundary line under the fifth article of the treaty of Guadalupe Hidalgo, I transmit your commission in that character. You will also receive herewith a copy of the several instructions which this department has addressed to your predecessor. It is not considered that you will need any further instructions at this time; I would, however, invite your special attention to the necessity of the regular transmission of your accounts and vouchers for settlement at the Treasury Department, as those instructions require. Any drafts, also, which you may have occasion to draw on account of the expenses of the commission, must be addressed to the Secretary of State, and not to the Secretary of the Treasury.

You will also forward to this department a full list of the pers ns (other than military or naval) in the service of the commission on our part, with the rates of compensation allowed to each; and will apprize the department of any changes therein which may from time to time take place.

Your compensation, as well as that of your predecessor, will be settled by Congress at their next session.

I am, sir, respectfully, your obedient servant,

JOHN M. CLAYTON.

To J. C. FREMONT, Esq.,
San Francisco, California.

DEPARTMENT OF STATE,
Washington, June 26, 1849.

SIR: Your letter from Panama, under date the 20th March last, marked No. 1, has been received.

It is to be regretted that you should have omitted to comply with that part of your instructions which requires you to furnish the department with a list of the persons employed to assist you in the discharge of your duties. In the absence of such a list, and of a statement of the compensation stipulated to be allowed to each person, it is impossible for the department to form an estimate of the probable expenses of the commission.

Your instructions also direct you to transmit your account of those expenses at the close of every quarter, with the vouchers requisite for adjustment of the account at the Treasury. The first quarter, since your appointment, expired on the 31st of March last; but, although large sums had been advanced to you previously to that time, no account or vouchers in support thereof have yet been received from you. Under these circumstances, the department has deemed it necessary to suspend the payment of your drafts, of which a memorandum is subjoined.

The President having thought proper to appoint Mr. J. C. Frémont the commissioner on the part of the United States to run and mark the boundary line under the treaty of Guadalupe Hidalgo, you will transfer to him all the papers and other public property in your custody relating to the duties of that office.

Your obedient servant,

JOHN M. CLAYTON.

To JOHN B. WELLER, Esq.

DEPARTMENT OF STATE,
Washington, June 28, 1849.

SIR: Your letter from Panama of the 15th ultimo, with the accompanying lists of persons in the service of the commission, was received at this department on yesterday, the 27th instant.

The difficulties which you anticipate in regard to the running and marking the boundary line from the Pacific towards the Rio Grande may be realized; but, without actual experience of them, it would be premature even to take into consideration your suggestion as to reversing that course and beginning the demarcation at the eastern end of the line. Inasmuch, however, as the starting-point for tracing the boundary, as well as the proceedings of the joint commission with reference thereto, are prescribed by the treaty, it would seem that the Executive of neither governmont has any discretion in regard to them, or any more right to change them than they would have to change the direction of the line itself. If it should be found to be impracticable to execute the duties of the commission as the treaty contemplates and enjoins, a supplementary article will be necessary to impart validity to any deviations therefrom.

It may, as you suggest, be advisable occasionally to make presents to the Indians who may be met with along the route of the commission. Careful discrimination, however, will be necessary in selecting articles for this purpose. They should be acceptable to the Indians, but not such as would enable them to injure the commission, in case their permanent good will should not be secured. The cost of the presents, also, should be moderate, and our share thereof should bear a just proportion to the fund appropriated by Congress for the expenses of the commission.

Upon this subject, however, you had better consult and make some arrangement with the Mexican commissioners. If presents should be indispensable, they would be for the common benefit of both parties, and both should equally share the expense.

I am, sir, respectfully, your obedient servant,

JOHN M. CLAYTON.

JOHN B. WELLER, Esq.

DEPARTMENT OF STATE,
Washington, June 28, 1849.

SIR: In a letter from this department under date the 26th instant, you were informed of your appointment as commissioner of the United States under the 5th article of the treaty of Guadalupe Hidalgo. With that letter, one addressed to your predecessor was also transmitted, which, however, it is deemed advisable you should not deliver or forward to him until you are about to enter upon the duties of the office. The letter for him which is herewith transmitted you will consider as addressed to yourself, when you shall have communicated to him that above referred to.

I am, sir, respectfully, your obedient servant,

JOHN M. CLAYTON.

J. C. FREMONT, Esq.

DEPARTMENT OF STATE,
Washington, July 20, 1849.

SIR: I have received your letter of this morning, and have to inform you in reply that, by the act of 28th August last, a sum of $50,000 was appropriated "for the expenses of running and marking the boundary line between Mexico and the United States, and paying the salaries of the officers of the commission;" that of this sum commissioner Weller has received, in a payment in advance and accepted drafts drawn on the Department of State $33,325 00
That vouchers in support of his disbursements have been received, but have not yet been passed by the Fifth Auditor, for 24,849 32

Leaving overpaid and wholly unaccounted for a balance of. .. $8,475 68

You will perceive from this statement that the whole sum appropriated for the service of the current year was $50,000, and that more than two-thirds of this amount has already been drawn by the commissioner, before and since his removal from office. Under these circumstances, the department must decline to pay any further drafts of Mr. Weller, until his vouchers have been received and his accounts adjusted at the proper office of the Treasury.

I have only to state, with reference to your bill for travelling expenses as bearer of despatches from Panama to Washington, that it is inadmissible, and cannot be allowed. Your employment in that character was neither warranted by the instructions of Mr. Buchanan to the commissioner, nor by the usages of the department in such cases.

I am, sir, respectfully, your obedient servant,
JOHN M. CLAYTON.

C. L. WELLER, Esq.,
Washington, D. C.

DEPARTMENT OF STATE,
Washington, November 21, 1849.

SIR: Your letter of the 15th of September last has been received. I learn from it with regret that you wish to be relieved from your duties as astronomer and topographical engineer in connexion with the commission on the part of the United States for marking the boundary pursuant to the treaty of Guadalupe Hidalgo. Your claims and peculiar aptitude for that service were so generally acknowledged that there was every reason to hope you might not be severed from the commission until the close of the business confided to it. Entertaining no doubt, however, that the reasons to which you allude are sound, and that the public will derive advantage from your employment in any other professional duty which may be assigned to you, your request is acceded to; and in a letter of this date I have requested the Secretary of War to designate your successor.

In regard to the civil assistants to whom you refer, it is presumed that

it would be best for them to remain, with a view to aid your successor in the discharge of his duties.

I am, sir, very respectfully, your obedient servant,

J. M. CLAYTON.

Brevet Major W. H. EMORY,
Topographical Engineers, San Diego, California.

DEPARTMENT OF STATE,
Washington, November 28, 1849.

SIR: The letter addressed to you by this department under date of the 21st instant has been detained for the purpose of being sent by the officer whom the Secretary of War might appoint as your successor. It appears, however, from the communication of Mr. Crawford of this date, a copy of which is enclosed, that the order for your relief which had been requested of him would be so greatly inconvenient to the military service that he deems himself constrained to deny the request.

Under these circumstances, it is hoped that you will continue to discharge the duties of commander to the escort, and chief astronomer to the commission, with the same fidelity and ability by which you have attained your high professional and personal character.

I am, sir, very respectfully, your obedient servant,

J. M. CLAYTON.

Brevet Major W. H. EMORY,
Topographical Engineers, San Diego, California.

DEPARTMENT OF THE INTERIOR,
Washington, December 10, 1849.

SIR: I have the honor to acknowledge the receipt of your communication of the 7th instant, with the accompanying documents, therein enumerated.

I am, sir, very respectfully, &c.,

T. EWING, *Secretary.*

Hon. JOHN M. CLAYTON,
Secretary of State.

WAR DEPARTMENT,
December 13, 1849.

SIR: I have the honor to inform you that, since my letter of the 28th ultimo, it has been determined to relieve Brevet Major Emory from duty with the boundary commission in California, as soon as he shall have completed his calculations of the survey of the line between the Pacific and the junction of the Colorado and Gila rivers, so as to obtain the action of the commission thereon.

Orders have been given to this effect. Brevet Lieutenant Colonel McClellan, of the topographical engineers, who has been directed to replace

Major Emory, is now in the city, and will be required to wait upon you for such further instructions as you may have to give.

I have the honor to be, very respectfully, your obedient servant,

GEORGE W. CRAWFORD,
Secretary of War.

Hon. JOHN M. CLAYTON,
Secretary of State.

BUREAU OF TOPOGRAPHICAL ENGINEERS,
Washington, December 14, 1849.

SIR: I have the honor of enclosing a copy of the orders to Brevet Lieutenant Colonel McClellan, who has been directed to relieve Major Emory upon the Mexican boundary survey.

Lieutenant Colonel McClellan will report himself to you for any directions or instructions which you may think proper to give.

Respectfully, sir, your obedient servant,

J. J. ABERT,
Colonel Corps Topographical Engineers.

Hon. J. M. CLAYTON,
Secretary Department of State, Washington.

BUREAU OF TOPOGRAPHICAL ENGINEERS,
Washington, December 14, 1849.

SIR: By direction of the honorable Secretary of War, you are bereby assigned to the duty of the survey of the boundary line between Mexico and the United States, from which duty, on your joining the command, Major Emory will be relieved.

You will therefore repair to San Diego, California, as soon as practicable, and, learning at that place the station of Major Emory, which will probably be at the mouth of the Gila, you will repair thither and report yourself to the American commissioner as the chief officer of the corps on the duty. Lieutenants Whipple and Hardcastle, now on the duty with Major Emory, will remain on the duty under your command.

Before moving under this order, you will call upon the Honorable Mr. Clayton, Secretary of State, and obtain from him copies of such instructions as Major Emory has received; and you will also receive from him such additional instructions as he may think proper to give.

You will not omit the monthly reports to this office required by the regulations.

Respectfully, sir, your obedient servant,

J. J. ABERT,
Colonel Corps Tographical Engineers.

Lieut. Colonel J. McCLELLAN,
Corps Topographical Engineers, Washington.

BUREAU OF TOPOGRAPHICAL ENGINEERS,
Washington, December 15, 1849.

SIR: Not being at the time aware that the business of the survey of the Mexican boundary had been transferred to the Department of the Interior, Lieutenant Colonel McClellan, who is ordered to relieve Major Emory on that duty, was directed to report for instructions to the State Department. This error having been corrected, Lieutenant Colonel McClellan is now directed to report to you for any instructions you may desire to give. Copies of the letters from this office to Lieutenant Colonel McClellan are respectfully enclosed, for your consideration.

Respectfully, sir, your obedient servant,

J. J. ABERT,
Colonel Corps Topographical Engineers.

Hon. T. EWING,
Secretary of the Interior, Washington.

BUREAU OF TOPOGRAPHICAL ENGINEERS,
Washington, December 15, 1849.

SIR: By a letter from the Hon. Mr. Clayton, Secretary of the Department of State, it appears that the "business connected with the commission referred to (Mexican boundary survey) has, by the President's order, been transferred to the Department of the Interior." You will please, therefore, call upon the Hon. Mr. Ewing, Secretary of that Department, in reference to any instructions, as indicated in the letter to you from this bureau of the 14th instant.

Respectfully, sir, your obedient servant,

J. J. ABERT,
Colonel Corps Topographical Engineers.

Brevet Lieutenant Colonel J. McCLELLAN,
Corps Topographical Engineers, Washington.

DEPARTMENT OF THE INTERIOR,
Washington, December 17, 1849.

SIR: In a communication from yourself to Colonel John B. Weller, United States commissioner, under date of June 28, 1849, reference is made to a letter from said commissioner, dated at Panama, May 15, 1849, and received at your department June 27, 1849. As no such letter appears among the papers transferred by you to this department, I have to request that you will transmit the same to me at your earliest convenience.

Very respectfully, &c.,

T. EWING, *Secretary.*

Hon. JOHN M. CLAYTON, *Secretary of State.*

DEPARTMENT OF STATE,
Washington, December 18, 1849.

SIR: I transmit herewith a letter from Mr. C. L. Weller, under date of

the 15th instant, and await your directions respecting the requests therein preferred.

I am, sir, very respectfully, your obedient servant,

JOHN M. CLAYTON.

Hon. T. Ewing,
Secretary of the Department of the Interior, Washington.

Department of the Interior,
Washington, December 19, 1849.

Sir: I have the honor to transmit to you the enclosed duplicate of a communication to the Hon. John B. Weller; and to request that, in accordance with the terms of the same, you will at once receive and take care of all the books, papers, and other property which he is therein directed to turn over to you.

I am, very respectfully, your obedient servant,

T. EWING, *Secretary.*

Major Wm. H. Emory, *San Diego, California.*

Department of the Interior,
Washington, December 19, 1849.

Sir: The direction of the commission for running and marking the boundary line between the United States and Mexico having been transferred to this department, I have to inform you, in case, on the receipt of this, Colonel Frémont shall not have entered upon duty as your successor, that your services are no longer required in said commission; and to request that you will immediately turn over to Major W. H. Emory all the books, papers, and other property in your possession belonging to the United States, and pertaining to the boundary service, for which you will take receipt in duplicate—the one to be forwarded to this department, and the other to be preserved by yourself.

You were advised by the Secretary of State, under date of the 26th of June last, that, on account of your failure to comply with your instructions to render to the Fifth Auditor quarterly accounts of your expenditures, with the necessary vouchers, payment of your drafts was suspended.

As this barrier to payment still exists, I desire to call your attention to the importance of an early adjustment of your accounts.

I have the honor to be, &c.,

T. EWING, *Secretary.*

Hon. John B. Weller, *San Diego, California.*

Department of the Interior,
Washington, December 20, 1849.

Sir: Your communication of the 15th, addressed to the Secretary of State, has been transmitted to this department for answer.

You were advised by the Secretary of State, under date of July 20, 1849, that the payment of the drafts of John B. Weller, United States commissioner, had been suspended; and I need only to remark, that the reasons which induced that suspension, and which were set forth to you, still exist in full force.

As to your application for pay on account of your salary as a subaltern in the commission, I have to state that it should be made to the commissioner, he being charged with the disbursement of the appropriation made by Congress for the boundary service.

I am, very respectfully, your obedient servant,

T. EWING, *Secretary.*

C. L. WELLER, Esq.,
Present.

DEPARTMENT OF THE INTERIOR,
Washington, December 28, 1849.

SIR: I have received your communication of the 24th instant, and have to state, in reply, that in the official instructions given by the Department of State to commissioner Weller, under date of January 24, 1849, he was required to keep a regular account of the expenses of the commission, and to render and transmit the same quarterly, with the necessary vouchers, to the Fifth Auditor for settlement.

The amount received by Mr. Weller prior to July 20, 1849, in a payment in advance and accepted drafts drawn on the Department of State, was	$33,325 00
Vouchers in support of his disbursements had been received (only a part of which have been passed by the Fifth Auditor) for	24,849 32
Leaving overpaid and wholly unaccounted for a balance of	8,475 68

Under these circumstances, you were apprized, July 20, 1849, that further payment of Mr. Weller's drafts would be refused, until his vouchers were received and his accounts adjusted at the proper office of the Treasury.

As no additional vouchers or accounts have yet been received from him, I must still decline to make additional payments.

I desire, however, to express the hope that Mr. Weller will, by an early settlement, enable the department to meet all the lawful expenses of the commission.

It is understood that you consider yourself officially connected with the commission, under an appointment from the late commissioner; but the department being unable to perceive that you have rendered or can render any aid in the execution of the duty required of that by a protracted residence in this city, your services will be no further required therein.

I am, very respectfully, your obedient servant,

T. EWING, *Secretary.*

C. L. WELLER, Esq.,
Present.

DEPARTMENT OF THE INTERIOR,
Washington, December 28, 1849.

SIR: I have to request that you will, at your earliest convenience, furnish me with a statement of the amount of money paid to commissioner Weller, the whole amount of vouchers filed in support of his disbursements, and the amount of those vouchers which have been rejected, with the reasons for their rejection.

I am, very respectfully, your obedient servant,
T. EWING, *Secretary.*

STEPHEN PLEASANTON, Esq.,
Fifth Auditor of the Treasury.

DEPARTMENT OF THE INTERIOR,
Washington, December 31, 1849.

SIR: I have received your favor of this date, with the accompanying letter from Mr. Asa France, and have the honor to state, in reply, that no vouchers or accounts have been received from John B. Weller, late United States commissioner, since July last, and that payment of his drafts has therefore not been resumed.

In compliance with your request, I herewith return to you Mr. France's letter.

Very respectfully, your obedient servant,
T. EWING, *Secretary.*

Hon. CULLEN SAWTELLE,
House of Representatives.

DEPARTMENT OF THE INTERIOR,
Washington, January 8, 1850.

SIR: Mr. John B. Weller having been relieved from duty as head of the commission to survey the boundary line between the United States and Mexico, and the direction of said commission having therefore fallen temporarily on you, I have to request that the persons employed on the work may be reduced to the lowest number consistent with the proper, though economical, management of the business confided to you, by the discharge of all such as are not indispensable to the proper performance of the work, and whose services can therefore be dispensed with without detriment.

The number of surveyors ought not to exceed three; and in reducing your force, you will have a view to the suggestions of Col. Abert to Lieut. Col. McClellan, a copy of which is enclosed.

I am, sir, very respectfully, your obedient servant,
T. EWING, *Secretary.*

Maj. WM. H. EMORY, *San Diego, California.*

DEPARTMENT OF THE INTERIOR,
Washington, January 9, 1850.

SIR: I have to request that you will, as early as may be practicable, furnish this department a statement, showing—

1st. The names of all persons employed by the late commissioner, Mr.

Weller, on the Mexican boundary, their compensation and duties respectively.

2d. The names of all such as you may discharge in pursuance of my letter of yesterday, their compensation and duties.

3d. The names, compensation, and duties of all persons who may compose the commission after its reduction by you.

You will also keep the department advised of whatever changes may from time to time be made.

I am, sir, very respectfully, your obedient servant,

T. EWING, *Secretary.*

Maj. Wm. H. Emory,
San Diego, California.

Department of the Interior,
Washington, January 22, 1850.

Sir: For the better prosecution of the work of running and marking the boundary line between the United States and Mexico, I have the honor to request that you will detail for that service Lieut. Beale, of the navy, whose familiarity with the country to be traversed will much facilitate the operations of the military and civil officers of the government now engaged upon the work.

If it is in your power to comply with this request, I will thank you to direct Lieut. Beale to report to this department.

I am, sir, very respectfully, your obedient servant,

T. EWING, *Secretary.*

Hon. William Ballard Preston,
Secretary of the Navy.

Department of the Interior,
Washington, January 29, 1850.

Sir: Lieut. Beale is very desirous to go upon the duty for which you have detailed Lieut. Strain. The latter suggested to me that he did not wish to stand in the way of his friend Lieut. Beale. I enclose a letter from Col. Benton on the same subject for your perusal, which you will return. I submit the matter entirely to your judgment, not wishing at all to interfere in the selection, and being satisfied that you have furnished me an officer efficient to discharge the duties for which he is detailed. I bring the subject to your notice at the request of Col. McClellan.

I am, very truly, yours,

T. EWING.

Hon. Mr. Preston,
Secretary of the Navy.

Department of the Interior,
Washington, January 24, 1850.

Sir: Will you do me the favor to inform me of the name of the officer

detailed for service on the Mexican boundary commission, in compliance with the request contained in my letter of the 22d inst.

Very respectfully, your obedient servant,

T. EWING, *Secretary.*

Hon. Wm. B. Preston,
Secretary of the Navy.

Department of the Interior,
January 25, 1850.

Sir: In the correspondence relating to the Mexican boundary, it appears that $33,325 has been paid on the drafts of the United States commissioner. Will you oblige me, as soon as practicable, with a statement showing the place where each draft was drawn, the date, payee, and amount?

It also appears that the amount of vouchers filed by said commissioner is $24,849 32, and that only a part of these vouchers have been passed at your office. Will you please inform me what portion of them have not been passed, and state the reasons which induced their suspension?

Very respectfully, &c.,

D. C. GODDARD, *Chief Clerk.*

Stephen Pleasanton, Esq.,
Fifth Auditor of the Treasury.

Department of the Interior,
Washington, January 30, 1850.

Sir: Your letter of this date is received. Your request for permission to proceed to Philadelphia is complied with; and further orders will be directed to you at that place.

I am, sir, very respectfully, your obedient servant,

T. EWING, *Secretary.*

Passed Midshipman Isaac G. Strain,
United States Navy, Washington city, D. C.

Bureau of Topographical Engineers,
Washington, February 9, 1850.

Sir: In answer to your letter of the 25th January, desiring to have an estimate of the probable expense for the next fiscal year in the prosecution of the survey of the boundary between Mexico and the United States, I have the honor to state that, having no knowledge whatever of the existing arrangements of the survey, the business having been conducted under the supervision of the State Department, I do not possess any of the data upon which an estimate would have to be founded.

1st. I do not know what property is now in the possession of the commission, or the condition of the property, and cannot state what additions or renewals will be required.

2d. Nothing is known in this office of the compensation paid to persons employed, or of their numbers.

3d. Nothing is known in this office of the number of horses or wagons used or required.

4th. Nothing is known in this office of the cost of foraging animals or of feeding men on the duty.

5th. Nothing is known in this office of the amount of existing debts, and, consequently, of the portion of any future appropriation which will have to be applied to arrearages.

As an estimate cannot therefore be made according to usual forms, it is respectfully suggested to ask for an appropriation of fifty thousand dollars for the duty.

In reference to that part of your letter desiring information of the number of persons which such a duty will require, allow me respectfully to refer to a memorandum submitted to your consideration a few days since through Colonel McClellan.

Respectfully, sir, your obedient servant,

J. J. ABERT,

Colonel Corps Tographical Engineers.

Hon. T. Ewing,

Secretary of the Interior, Washington.

Washington, *January* 3, 1848.

Sir: I think it proper that you should be informed that a very considerable portion of the most valuable instruments used on the northeastern boundary survey, and now in possession of Major J. D. Graham, do not belong to the Department of State, and that it is exceedingly probable that, under arrangements in progress, they will be needed by the Topographical Bureau for other surveys, and I think it will not be practicable for the State Department, without inconvenience to other branches of the public service, to obtain the use of them.

The instruments that do belong to the State Department are insufficient in number, and many of them not adapted to the nature of the service to which they are to be applied—the survey of the boundary between the United States and Mexico.

Army order No. 65 assigns me to the command of the party to be detailed from the army to run that boundary. Under that order I had the honor to report to you in person, the day following the date of that order.

I then stated my impression that immediate steps should be taken to see that proper instruments were procured for the survey. A more exact knowledge, subsequently derived from Major Graham, of the number and condition of the instruments which he designs to turn over to the department, makes it my duty to inform you that, unless immediate steps are taken, it is probable the instruments cannot be had, in order to enable the commission to meet agreeably to the terms of the treaty.

I beg leave respectfully to suggest that, as I am already assigned to duty under your orders, such of the instruments as may belong to the State Department may be immediately turned over to me, that I may proceed to put them in condition for service, to make such alterations in them as may be required to meet the peculiarities of the service, and to prepare the information by which you will be enabled to supply the deficiencies when the appropriation for running and marking the boundary becomes availa-

ble. This recommendation, if adopted, need involve no immediate expenditure. The propriety of this work being confided to the officer who is to use the instruments, I am sure, need not be dwelt upon. He will be held responsible for the results, and should, therefore, be allowed the selection, within reasonable limits, of the means by which he is to attain them.

I have the honor to be your obedient servant,

W. H. EMORY,
Brevet Major U. S. Army.

Hon. JAMES BUCHANAN,
Secretary of State.

ENGINEER DEPARTMENT,
Washington, January 10, 1849.

SIR: On the receipt of your letter of the 3d instant, asking for the loan of the zenith telescope belonging to this department, that had been for some time in the hands of Major Graham, of the topographical engineers, I referred it to the superintendent of the military academy, requesting him "to report forthwith whether the instrument can be spared from the course of instruction in the department of philosophy, Major Graham having notified that it is ready, with the other instrument loaned to him, to be returned, if wanted at the academy." The superintendent, in his reply, just received, says, after consulting with the professor of philosophy, "that the particular instrument referred to by Major Emory would be very useful in the department of philosophy." This being the case, and knowing that the instrument was sent in the first instance to the academy, at the request of Professor Bartlett, for use in practical instruction in astronomy, I am under the necessity of declining the proposed loan.

Very respectfully, your obedient servant,

JOS. G. TOTTEN,
Brevet Brigadier General U. S. Army.

Major W. H. EMORY,
United States Army, Washington.

WASHINGTON, *January* 11, 1849.

SIR: As far as I have been able to ascertain, the two instruments mentioned in the enclosed letter of General Totten were purchased for the use of the Ohio and Michigan boundary, in 1835; but, the appropriation having been expended under the War Department, the instruments may be considered as belonging to that department.

They are both of great value, and one of them, the zenith telescope, was used by me on the northeastern boundary. It will appear by the letter of General Totten that they are now both required in the department to which they belong.

I have the honor to be, with great regard, your obedient servant,

W. H. EMORY.

Hon. JAMES BUCHANAN,
Secretary of State.

New York, *February* 4, 1849.

Sir: In compliance with instructions of the Department of State, January 19, 1849, I have the honor to report that I have received from Major J. D. Graham such instruments as were deemed "necessary for correctly running and marking the boundary line" between the United States and Mexico. Two invoices—one dated New York, January 29, 1849, the other dated Boston, February 1, 1849—exhibit the character and condition of these instruments, and are herewith enclosed. I have been compelled to adopt, in a great measure, Major Graham's report of the condition of the instruments, as it would take more time than I am allowed to set up each instrument and examine it in detail. The higher class of astronomical instruments—such as the Troughton and Semmes telescope, the transit, and the altitude and azimuth instrument—though admirably adapted for service on the northeastern boundary, intersected as that boundary was at many points by the great thoroughfares of travel, are, in consequence of their size, unsuited for general use on the Mexican boundary, and can only be used at or near points accessible by sea—San Diego and the mouth of the Del Norte. At these points, however, they can be profitably used. The repacking such instruments as require it and were of convenient size to carry into the interior on the backs of animals, was completed yesterday. Many of these could have been rendered still more profitable by placing the different parts of the same instrument in different boxes; but this is a nice operation, involving the skill of the best instrument makers, and would take one or two months to complete; it has therefore not been attempted. The region in which we operate being destitute of trees of sufficient size to afford stands for the instruments, I have ordered castings to be made for portable stands. I have also ordered the observing tents put in condition for service. Both the castings and fixtures for the tents will be completed in the course of the week.

I now proceed, in further pursuance of your instructions, to "report what other instruments" are deemed "necessary for the survey, together with their probable cost, and where they may be obtained the most speedily and upon the best terms."

Instruments.	Price.	Where to be obtained.
1 pocket chronometer*.....	$200	Wm. C. Bond, Boston.
1 box chronometer.....	285	Do do
2 heliotropes, at $100.....	200	E. & G. W. Blunt, New York.
2 reconnoitring glasses, at $50	100	Do do
1 portable astronomical telescope	190	Do do
4 Nautical Almanacs, 1849.....	10	Do do
4 Nautical Almanacs, 1850.....	10	Do do
1 copy Catalogue Stars, British Association.....	20	Do do
1 Daniel's hygrometer.....	15	Do do
1 set charts coast of California	2	Do do
4 Hassler's Logarithims, at $1..	4	Do do
6 thermometers, at $4.....	24	Do do
2 artificial horizons, at $20, (with boxes for mercury)..	40	Do do
6 observing lamps.....	15	Do do
1 36-inch transit.....	400	Troughton & Semmes, London.
1 36-inch zenith telescope.....	700	Do do
4 cases drawing instruments, at $10.....	40	
4 bottles of ether, (sulphuric.)		
½ bushel plaster of paris.		
2 observing tents, at $40.....	80	
1 equatorial stand.....	100	Price estimated.

*Mr Bond has one by Park & Frodsham, No. 648, of tried excellence.

NOTE.—Words included thus ( ) are defaced in the original, and are here supplied from the text.

(If) an arrangement could be made by which the (use) can be obtained of the transit and the zenith (telescope) mentioned in my letter to you of the 1st January, (the two corres)ponding instruments estimated for in the (above list,) respectively, at $400 and $700, would not (be needed.) These instruments are now at the store of Mr. E. & G. W. Blunt, New York, awaiting transportation to West Point. The object of sending these instruments there being for the purpose of instruction, as stated in General Totten's letter, enclosed in mine of the 11th, I would propose, if no other means could be adopted to place these instruments at the disposal of the State Department, (where they have been for many years,) to exchange for them the large and valuable altitude and azimuth instrument by Troughton & Semmes. This is one of the best instruments of the kind in the country, and combines all the parts of both the other instruments, but unfortunately it is too large for use on the Mexican boundary. The instrument referred to is the first named on the invoice herewith sent. A letter received from the Hon. John B. Weller, commissioner, &c., requests that all these instruments, intended to go overland, may be sent to New Orleans before the 23d.

I return herewith the list of instruments furnished me from the records of the Department of State.

I have the honor to be, with great respect, your obedient servant,

W. H. EMORY,
Brevet Major United States Army.

Hon. JAMES BUCHANAN,
Secretary of State.

NEW ORLEANS, *March* 7, 1849.

SIR: I received half the amount of draft sent me for three thousand dollars by the United States commissioner upon the Secretary of the Treasury, for purposes necessary to outfit and expenses of party, &c., in the boundary line service. When I left Washington, ten days ago, immediately after receiving the certificate to a copy of the treaty map, it was supposed that I would meet the commissioner here, and in that event would not require the balance of the amount of draft charged to me.

I advised Mr. Weller that we were coming, but, from the irregularity of the telegraph, presume he did not receive my despatch. I found on my arrival to-day that three of the other officers attached to the survey, from unavoidable detention, (frozen state of the Ohio river,) did not reach this city either, until two days after the departure of Mr. Weller, who sailed on the 2d instant. I therefore found it necessary to advise you of my want of the other fifteen hundred dollars, and to save time I sent the dispatch by telegraph, asking permission to draw on the department for the same.

A vessel will leave this for Chagres in a short time, and I apprehend there will be no delay to prevent our reaching San Diego almost as soon as the commissioner.

With highest esteem, I remain, very respectfully, your obedient servant,

ANDREW B. GRAY,
Surveyor under 5th article of treaty with Mexico.

Hon. Mr. CLAYTON, *Secretary of State, Washington city.*

PANAMA, NEW GRANADA, *March* 20, 1849.

SIR: I have the honor to report that, under instructions from your department of the 24th January last, I embarked from New Orleans, with the necessary number of employés, on the 2d instant, and reached this city on the 16th. On the 30th of January, at my request, a letter was addressed to the American consul in this city, directing him to have transportation ready for me and the party by the 12th instant at Cruces; and, although this letter had been duly received, the transportation had not been provided, nor could I hear of the consul in any way until I reached Panama.* His conduct here generally has given much dissatisfaction to the citizens of the United States emigrating to California; but I have not given such investigation to the various charges made against him as to enable me to say how far they are true.

The charges for transportation over the isthmus are enormous, and there is but little prospect at present of a diminution.

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* See Mr. Nelson's explanation.—J. M. C.

The steamer "Orus" navigates the Chagres river only 15 miles, and passengers and freight are carried from thence to Gorgona (about 35 miles) in canoes.

The greater portion of my party will remain at Gorgona until all the supplies reach this place. I have with me four months' supplies for the whole party—six months' supplies having been shipped, previous to my leaving the United States, from New York to San Diego direct.

There is no transportation here now, and from present indications it is exceedingly doubtful whether the party can be gotten to San Diego for months to come, unless a government vessel should touch at this point. I intend, however, to obtain transportation for myself by the first steamer which comes in, so as to comply with the 5th article of the treaty. It is probable I will have to go to San Francisco and travel by land thence to San Diego.

It is important, in my opinion, that the appropriation made by the act of Congress of the 12th of August, 1848, to defray the expenses, &c., of running the boundary, should be placed in a position where my drafts upon it will be duly honored. The employés generally will desire to receive their pay in the United States, and I have to request (if consistent with the views of the department) that the funds may be drawn from the treasury and placed to my credit in New York, say the "Bank of America." I will then be enabled to discharge the demands against the commission without difficulty or delay. The amount now in my hands will be wholly inadequate to pay the expenses here and transportation to San Diego.

Major Emory, chief of the topographical engineers, reached this city on yesterday. Mr. Gray, the surveyor, has not yet arrived. As his presence at San Diego previous to the 30th of May is indispensable, I may possibly be detained by his movements.

At all events, the department may be assured that all in my power will be done to carry out the provisions of the treaty.

In the mean while, I have the honor to be, most respectfully, your obedient servant,

JOHN B. WELLER,
United States Commissioner.

Hon. Secretary of State.

Panama, *March* 25, 1849.

Sir: I have the honor to report to you that I joined the commission for "running and marking the boundary between the United States and Mexico" at this place on the 17th instant, in charge of all the astronomical apparatus and surveying instruments for the use of the commission, except those sent by the steamers Northerner and Senator, *via* Cape Horn, of which you have been heretofore advised.

The commissioner reached here one day before me. I exhibited to him my instructions from the State and War Departments, and informed him of the condition and place of the apparatus confided to my care, and the steps taken, under instructions of the Department of State, in regard to it.

It was not possible, as those instructions contemplated, to leave New York before the 1st of March; nor was it practicable to carry the instruments overland to New Orleans to ship on board the steamer Alabama, which sailed from that port for Chagres on the 2d instant; and I was compelled to ship them, and take passage for myself and party, in the steamer Northerner, which sailed direct from New York to Chagres. Everything has arrived here in safety, and in good condition for immediate service, except some of the astronomical books and tables left with one of my assistants and my servant in New Orleans. The means of getting from this place to San Diego are left with the commissioner. It may be proper, however, to inform you that, being charged, in addition to my other duties, with the command of the military escort intended to protect the commission, I will make the attempt to reach San Diego in time to report the escort in readiness so soon as the commission assembles, so that no delay will happen from that cause.

I have the honor to be your obedient servant,

W. H. EMORY,

Bvt. Maj. United States Army, &c.

Hon. Secretary of State.

Steamship Falcon,

At Sea, March 26, 1849.

Sir: Up to the last moment before leaving New Orleans, I waited with anxious expectation a despatch from your department; but, receiving none, I finally sailed, early in the morning of the 21st instant, for Chagres, which latter port we expect to reach in all to-morrow.

At Panama I hope to join the commissioner, and to proceed with him to San Diego. I should have waited till hearing from you; but, finding little reliance is to be placed in the present system of conducting telegraphic communications, and fearing lest no other favorable opportunity would again occur in some time for me to proceed on my mission, I deemed it advisable to take the responsibility of at once embarking. I hope it will have met with your approval, and that of the President.

I forward a few papers which I had withdrawn for the purpose of making copies, and which I beg leave to ask may be filed for reference in your department: they are the originals.

I have the honor to remain, very faithfully, your obedient servant,

ANDREW B. GRAY,

United States Surveyor under treaty with Mexico.

Hon. Mr. Clayton,

Secretary of State, Washington city.

Panama, *May* 9, 1849.

Sir: The enclosed package, addressed to Wm. Cranch Bond, director of the observatory at Cambridge, contains a series of astronomical and other observations intended for review by the A. academy of Boston.

These observations, and the object in sending them to the academy,

being connected directly with the service on the boundary with which I have been honored by the Department of State, induce me to request they may be forwarded under the frank of the department.

I have the honor to be your obedient servant,

W. H. EMORY, *Bvt. Maj. U. S. Army,*
Chief Ast. and Top. Eng. U. S. Boundary Survey.

Hon. JOHN M. CLAYTON,
Secretary of State.

SAN DIEGO, CALIFORNIA, *June* 16, 1849.

SIR: I have the honor to report my arrival at this place on the 1st instant, with ten of my party. I regret that the *unnecessary* detention of the steamer at Panama, by the agent of Messrs. Aspinwall & Co., prevented me from complying with the requisitions of the treaty. Another portion of those engaged upon this survey came in, a few days since, on the Oregon, and the balance still remain at Panama. In consequence of this division, I have been subjected to much trouble, and a good deal of expense, which otherwise would not have been incurred.

General Garcia Condé (who I understand is the commissioner appointed by the republic of Mexico) has not yet arrived. I received, however, a few days since, a letter from our consul at San Blas, advising me that he sailed from that port in a British vessel for San Diego on the 24th ultimo, with his suite and one hundred and twenty soldiers. His arrival, therefore, is daily expected. No time will be lost upon our part in organizing the commission, and placing the parties in the field. In the absence of instructions, (if agreeable to the Mexican commissioner,) we will proceed with the work as if the meeting had taken place within the time prescribed by the treaty.

It will require some time to secure the necessary transportation to pass from the Pacific to the Colorado; and it may be found wholly impracticable to prosecute the work from this direction beyond that point. In the existing state of military discipline here, I apprehend the necessary escort could not be easily obtained beyond that river. Two companies have been reported to me by the commanding officer of the escort—one company of sixty-one dragoons; the other, twenty-two infantry, effective and non-effective. I have no information as to the number agreed upon by the respective goverments; but in my opinion this force will be entirely too small. Our expenses have already been so great, that I fear the appropriation made by the act of Congress of August 12, 1848, will be quite exhausted soon after the work is commenced. Our limited means will retard our progress very much, and in the end subject us to expenses which otherwise might have been avoided. The Congress of 1848, I am sure, could not have anticipated the state of affairs in this country, else the appropriation would have been much more liberal. As it is, I can only promise to use the means at my command to the best advantage.

I have the honor to be, very respectfully, your obedient servant,

JOHN B. WELLER,
United States Commissioner.

Hon. JNO. M. CLAYTON,
Secretary of State, Washington, D. C.

PUEBLO OF SAN JOSE, *August*, 1849.

SIR: I have had the honor to receive, by the hands of Mr. Beale, United States navy, your letter conferring on me the post of commissioner of the United States for the determination of our boundary line with Mexico. I feel much gratified in accepting the appointment, and beg to offer through you to the President my acknowledgments for the mark of confidence betowed upon me, and which he may be assured is fully appreciated. Colonel Weller is now at San Francisco, having just arrived from the south. His reports of the actual state of the survey will probably suggest instructions for me. I will see him within a few days, and, after having made myself acquainted with the condition of the work, shall be able to communicate understandingly with the department.

I have the honor to be, with much respect, your obedient servant,

J. C. FREMONT.

Hon. JOHN M. CLAYTON,
Secretary of State.

CAMP RILEY, CALIFORNIA, *September* 15, 1849.

SIR: General orders No. 65, dated Adjutant General's office, Washington, December 27, 1848, placed me in command of the escort to the United States boundary commission, and directed me to report for further instructions to the Secretary of State. I did so report, and received an order transferring to my custody all the astronomical and surveying instruments destined for service on the boundary between the United States and Mexico. I received at the same time information that I was to be the chief astronomer and topographical engineer on the work.

In the instructions to the United States commissioner, dated Washington, February 13, 1849, (a copy of which I obtained at my own request,) I am designated as the chief astronomer and topographical engineer. Beyond this, I have received from the Department of State no instructions, nor have I received a letter of appointment. Being on the ground as commander of the escort, I have retained the custody of these instruments, and have performed the duties above designated.

It is questionable in my mind whether the Department of State has followed up its intention conveyed in the preliminary instructions of February 15. But if it has done so, and I am considered as occupying the position of chief astronomer and topographical engineer, I now desire, for reasons which, in my judgment, form an insurmountable obstacle to the proper performance of these duties, to be released from all duty with this commission. I request the person may be designated to whom the instruments in my custody shall be turned over. They are at present distributed between Captain Hardcastle, Lieutenant Whipple, Mr. A. B. Gray, and myself.

In due season, an account will be rendered of my astronomical determinations on this work, as well as those of the officers under my command, and the commission will be furnished with the result.

By the time of receiving my recall, I hope to have finished the determination of the astronomical line forming the boundary between the Pacific and the mouth of the Gila river, and it will be a convenient point for the transfer of the work to other hands.

The commissioner has been absent on business since the 16th August, and I am without the means of knowing what is to be done with the civil assistants brought out by me; but I respectfully ask consideration for them, more particularly for the two scientific gentlemen—Professor James Nooney and Dr. C. C. Parry; and that, should their services be no longer required, directions may be given to have their expenses paid back to their homes.

I am, sir, very respectfully, your obedient servant,

W. H. EMORY,
Brevet Major Corps Topographical Engineers, &c.

Hon. JOHN M. CLAYTON,
Secretary of State.

SAN DIEGO, CALIFORNIA,
October 4, 1849.

SIR: The sketch which accompanies this note will show you the position of the initial point of boundary between our country and that of the Mexican republic, as fixed by the survey of the southern part of the port of San Diego, and measurement of the marine league, agreeably to the decision of the joint commission of July 9, and in conformity with the 5th article of the treaty with Mexico. It will also show approximately the direction that the line will take over the ridge of highlands which come down to the Pacific, and across the valley of the river "Tia Juan"—the same valley up which we travelled on our recent reconnoissance to the mountains separating the desert from the ocean.

I had advised the surveyor on the part of Mexico of my having completed the surveys necessary for me to determine the southernmost point of the port, as called for in the treaty; and a few days after your departure to San Francisco we exhibited to each other small plans of our triangulations, &c., which agreed without any difference. But the changes from local causes by time, &c., which have taken place in that portion of the port, and the peculiar features which it now presents, caused Mr. Jalazar to think the southernmost point to be further to the north than I had believed was represented on the map accompanying the treaty. A difference in the season of the year, which possibly may have been the case, in which the two surveys were made, (that of 1782 and that of our own,) might also make a difference in its appearance.

I pointed the positions of one or two points in the range of bluffs bordering the low salt flats, and in which time seemed to have made no change, and proved the identity of this range very nearly with the black curve line representing the boundary of the port of the map of Don Juan Pantoja. He desired to make a few more measurements, which he did, and advised me of his being induced to believe that the line of coast on the treaty map was the same very nearly with the highland or line of bluffs mentioned. The difference between the point agreed upon by us and that first supposed by him was some 3,500 feet, and which places the initial point that distance further south.

The parallel from which we commenced the measurement of the marine

league was that of the highest point at which indications were noticed of the overflow of salt-water, or the water of the port.

Every degree of accuracy was pursued in the marine-league measurement, and the number of metres taken for its length was 5,564.6, according to the authority of "Francœur." The double red line upon the sketch will show that two offsets were necessary to avoid inequalities and irregularities in the surface of the ground, and to obtain a level plain, as far as practicable.

The initial point, as will be seen by the sketch, falls upon the sand beach within a hundred metres of a plain triangularly shaped and elevated by a bluff bank about 50 feet above the level of the sea. It is also backed by a mountainous spur which puts out from the great chain reaching from Upper to Lower California, and is an excellent natural position for a monument to fix the limit of the two countries.

My parties are now actively engaged in the field; and when I will have returned from the reconnoissance to the mouth of the Gila river along the line, and which I am desirous of accomplishing within the next 20 days, I will then, I hope, have made the requisite triangulations to fix the mouth and vicinity of that river for mapping; also, have obtained in that time sufficient topography and notes enough of the line between the Pacific and that point. This will enable us, so soon as the latitudes and longitudes of the two extremes are determined by the astronomical party engaged upon that duty, to make out a very correct plan of this whole line, (between said points,) sufficient for the purpose of demarcation, and for the erection of monuments at those points decided upon at any time by the joint commission hereafter.

I remain, very respectfully, your obedient servant,

ANDREW B. GRAY, *U. S. Surveyor, &c.*

Hon. JOHN B. WELLER, *U. S. Commissioner.*

SAN DIEGO, CALIFORNIA, *October* 5, 1849.

SIR: I have the honor to inform you that, since my despatch of the 28th July last, the commission has been actively engaged in executing the important duties imposed by the treaty. The boundary line from the initial point on the Pacific to the junction of the Gila with the Colorado will be an astronomical line connecting the two points. To obtain the azimuth of this line, the determination of latitude and longitude of its extremities was necessary. The determination of this line is nearly completed. Major Emory, the chief astronomer of the commission, finding no suitable point for an observatory at the initial point on the Pacific, established one at "Camp Riley," and determined its geographical position, in latitude and longitude, by no less than three hundred observations on stars near the zenith, and its longitude by observations on every culmination of the moon and the moon-culminating stars which was observable since the establishment of his observatory, on the 20th July last; and these results have been carried from his observatory to the initial point by a single triangle. In a very few days, all the necessary computations will be completed.

On the 8th ultimo, Lieutenant Whipple, of the astronomical party, with a suitable escort, was sent to the Gila, and is now at the junction of that river with the Colorado, for the purpose of observing with a view to deter-

mine the latitude and longitude of that point. Captain Hardcastle, of the same corps, in the mean time has been despatched to the mountains this side of the desert, between the two points, to conduct the signals by means of which Major Emory will be enabled to connect the two extremes of the time in longitude. In the event this fails, the absolute determinations in longitude, made respectively by Major Emory and Lieutenant Whipple, will be resorted to, and the azimuth of the line forming the boundary completed and marked on the ground. I will, in a few days, send a detachment of the surveying party along the line to make a topographical sketch of the country between the two points; and I have no doubt within twenty or thirty days this great work on the west side of the Colorado will be completed, and nothing will remain except to fill in a few intermediate points. This, with the placing of suitable monuments on the Pacific and at the intersection of the Gila with the Colorado, will complete what has always been regarded the most difficult portion of the work. The distance will be about one hundred and thirty miles. As a natural boundary, the Gila and the Rio Grande constitute a large portion of the remainder of the line. It is thought no difficulty will be found in establishing it.

I must again repeat, that unless Congress, at an early day in its next session, appropriate the necessary means, the work must be suspended.

My movements have already been much retarded for the want of funds, and I trust the commission may not be thus embarrassed in future. If the joint commission is broken up from any cause, the work is inevitably suspended for an indefinite period.

I send herewith a map, prepared by the surveyor, Mr. Gray, with an explanatory note, showing his operations in determining the initial point in the boundary.

No communication whatever has been received from your department since the 15th March last.

I have the honor to be, very respectfully, your obedient servant,

JOHN B. WELLER,
United States Commissioner.

Hon. JOHN M. CLAYTON,
Secretary of State.

SAN DIEGO, CALIFORNIA, *November* 3, 1849.

SIR: The forms and ceremonies necessary to fix and determine upon the face of the earth the initial point in the boundary between the United States and the republic of Mexico, on the Pacific, were gone through with on the 10th ultimo, in presence of various members of the joint commission and numerous other witnesses.

In consequence of some changes which have evidently taken place in the southern part of the port of San Diego since the survey of Don Juan Pantoja in 1782, it became necessary to make an accurate survey of that part of the harbor. This was executed by the surveyors on each side some weeks since.

A difference of a few feet was found to exist between the representatives of the two governments as to the precise point which ought to be regarded as "the southernmost point of the port of San Diego." This, how-

ever, was soon adjusted, in the spirit of compromise, by the commissioners on the ground, and a point selected from which "a marine league due south" was measured.

At the place thus selected as the initial point, a temporary monument has been erected, until suitable materials for the construction of a permanent one can be obtained. The monument will be placed five hundred feet from the ocean, and on a point of land forty-two feet above the level of the sea. Its precise latitude, as agreed upon, is 32° 31′ 59″.58, which will make it about eighteen miles south of this town. A small portion of the computations necessary to determine the exact longitude have not yet been completed, and consequently I am not now able to give it with precision.

The astronomical detachment, under the charge of Lieutenant Whipple, referred to in my last communication, is still at the mouth of the Gila, having nearly completed the observations necessary to determine the geographical position of that point. His return is expected in a few days.

On the 12th ultimo, the surveyor, with a portion of his corps, left here for the Gila, with the view to examine the point at which that river empties into the Colorado. For reasons perhaps satisfactory to himself, he returned without having reached that river. As to the extent or character of the information elicited by that expedition I have no knowledge.

Our movements have been much retarded for the want of the necessary means to purchase transportation, &c. If the department had seen proper to provide me even with the funds parsimoniously appropriated by Congress, the work from the Pacific to the Gila would have been finished before this.

Although the steamers arrive here regularly from the northern as well as the southern portion of the coast, I have not had the honor to receive any communication whatever from your department, excepting your very kind note of the 15th March, sent by way of the city of Mexico.

I have the honor to be, very respectfully, your obedient servant,

JOHN B. WELLER,
United States Commissioner.

Hon. John M. Clayton,
Secretary of State, Washington.

San Diego, *November* 14, 1849.

Sir: I herewith submit to you a sketch or plan of the junction of the Rio Gila, where it unites with the Colorado, as referred to in my communication of the 9th instant.

It is made from the notes and topography of the reconnoissance and survey of that point by my assistant, Mr. Forster, (aided by Lieutenant Whipple,) on our late expedition.

B and C are two points which at present might be considered the ends of the banks which form the Gila at its embouchure into the Colorado; and A, another point, which I have placed as about the position where the two waters mingle, or very nearly where the middle of the Rio Gila unites with the Colorado.

The latter river now being low, the current is swiftest between the island and main land, and strikes the water of the Gila at A; but when higher, the two waters may join or mingle some distance further north.

The land on the west side of the Gila at B is constantly wearing away by the action of the currents, being low and soft; consequently, the position of that point changes, as also the configuration of the mouth of the Gila; and the point D may very shortly be (if not now considered) the end of the southern or western bank of that river. The middle, therefore, to-day, may not be the same as yesterday.

The waters, after mingling, converge and break through a dyke of feltzspatic rock about 700 feet across; and if it is decided that the point where the middle of the river Gila unites with the Colorado is at A, the line of boundary in its course from the Pacific will probably fall to the southward of the bluffs, and thus include in our territory both sides of the Colorado, at the present emigrant crossing. These elevated heights may be considered important, not only in a civil but military point of view.

The rains and weather having been so severe for some days, I have been prevented from drawing, &c., in my tents, or the accompanying plan would have been submitted earlier. I am preparing my notes and sketches now for mapping our further reconnoissances along the boundary line, and when completed they will be properly submitted.

Very respectfully, your obedient servant,

A. B. GRAY,
U. S. Surveyor under treaty with Mexico.

Hon. John B. Weller,
U. S. Commissioner.

Mouth of Rio Gila, *November* 29, 1849.

Sir: The following is an extract from an official communication received from Major W. H. Emory:

"The commissioner, who is confined to his bed, desires me to say, he will be glad if you will agree with Mr. Salazar on the point where the Gila empties into the Colorado, and make an accurate survey of the same, and also of the boundary line from that point to where it crosses the Colorado."

Being informed that you are at the lower crossing of the Colorado, and on your way hither, I beg leave to inquire whether you can conform to the wishes of the United States commissioner; and if so, at what time it will suit your convenience to unite in an examination of the junction of the two rivers, to decide upon the point described by the treaty.

I am, sir, very respectfully, your obedient servant,

A. W. WHIPPLE,
Lieutenant U. S. Top. Engineers, U. S. Boundary Commission.

Mr. Salazar,
Surveyor, &c., &c., for the demarcation of the line of boundary between the United States and Mexico.

San Diego, *December* 15, 1849.

Major: Your official communication, dated at Camp Riley, November 9, was received by me at the mouth of Rio Gila, November 22. Mr.

Salazar, the Mexicah astronomer and surveyor, had not then reached the Rio Colorado; and, in order to carry out your instructions more specifically, I waited until the 26th before I commenced to mark upon the ground points which by our observations were determined to be in the line of boundary. I then erected a stone pier upon the first hill in the azimuth line of boundary from the mouth of the Rio Gila toward the Pacific ocean. From this pier, by a series of astronomical observations, I measured the computed azimuth, and marked three points in the line of boundary, viz: the stone itself upon the first hill west from the mouth of the Gila, a point upon the second hill west, and a third point upon the right bank of the Gila near its junction with the Colorado.

Upon the evening of November 28, I learned that Mr. Salazar was encamped at the lower crossing of the Rio Colorado, and the next morning despatched a messenger to him with a letter of which I enclose a copy. Mr. Salazar promptly accepted the invitation to decide upon the initial point of boundary, and early November 30 arrived at my camp.

We examined the junction of the two rivers, and the plot I had made, and he agreed with me that the point I had selected was that defined by the treaty. It was also decided that the stone pillar I had erected upon which to measure the azimuth should be considered a monument upon the boundary line.

This agreement was written, examined by General Condé, the Mexican commissioner, translated into Spanish by Mr. Iturbide, the Mexican interpreter, and signed by Mr. Salazar and myself. The copy in Spanish was retained for the Mexican commissioner, and the original, in English, I enclose and beg leave to transmit through you to the United States commissioner, for him to approve officially.

General Condé made me the bearer also of a verbal communication to yourself and to the United States commissioner.

He stated in effect that there would be no difference of opinion between the two commissioners with regard to the operations at the mouth of the Gila; that he wished to return toward San Diego upon the boundary line, and to enable the two commissioners to close officially all operations upon the line of boundary between the mouth of the Rio Gila and Pacific ocean; he desired that the United States commissioner would send a party duly authorized to act conjointly with him in this operation.

I remain, sir, very respectfully, your obedient servant,

A. W. WHIPPLE,
Lieutenant U. S. Top. Engineers.

Brevet Major W. H. Emory,
U. S. Top. Engineers, Chief Astronomer, &c., &c.,
U. S. Boundary Commission, San Diego, California.

Washington City, D. C., *December* 15, 1849.

Sir: As an authorized agent and attorney for John B. Weller, commissioner to run and mark the boundary between the United States and Mexico, I had the honor, some months since, to apply through you for additional funds to enable said commissioner to proceed with said service; and believing now that your refusal at that time was induced principally by the belief that Mr. Weller would be relieved from the duties of commissioner by a successor before additional funds were actually needed,

and conceiving that such belief has not been borne out by the facts, and learning that the new appointee (Colonel Frémont) declines entering upon the duties of commissioner, I beg leave, most respectfully, to renew my application.

Up to the latest day of our last advices from California—the 5th of November—Mr. Weller was still acting in the capacity of commissioner, and was rigorously prosecuting the business of that office, having received no official information regarding a discharge therefrom. He has succeeded in completing the establishment of the initial point on the Pacific coast; has finished the survey and demarcation of the line from the Pacific coast to the Colorado—a very considerable portion of the work—and has ascertained the latitude and longitude of each of the two extreme points. In short, I will refer you to the correspondence and documents in your department, received from him, for the amount and nature of the service he has performed, and then ask whether it is not altogether likely that, in order thereto, he has been compelled to incur liabilities greater in amount than the funds that have been directly furnished him? I think it cannot be said, when all the facts are known, that he ought to have, or possibly can have, funds to any considerable amount remaining in his hands out of the advances heretofore made him. The vouchers returned by him, and now in the Fifth Auditor's office, will show that all he has had advanced him has been expended for subsistence stores for his party for six months, and for the necessary expenses in getting his party out to the field of labor.

The department, with the ample data in its possession, is able to form a correct estimate of the probable cost of the work completed by Mr. Weller, and, therefore, also of the probable sum now actually needed by the commissioner. The department is also able, no doubt, to fix the probable time at which Mr. Weller will leave the service, and can, therefore, form a tolerably correct estimate of the amount of funds it will take to keep up the service to that time; and here the assumption that the department is unwilling to suffer the entire suspension of the service for any limited period, I hope, is correct, as it is natural and justifiable; and it is quite certain that, unless funds are furnished the commissioner soon, he will be compelled to suspend the work, let the consequences be what they may—the nature of which I am glad to believe the department can sufficiently estimate to induce it to avert them. I sincerely hope, sir, you will see the necessity as well as the justice of furnishing Mr. Weller more funds, and that *I* shall have the pleasure of conveying the same to him, as I am fully authorized by him to do—the evidence of which I will exhibit to you at any time you shall name.

I have now only to inform you that, being a subaltern of the commission, I have received orders to repair to San Diego, but am unable to do so for want of the necessary means; and unless you can and will furnish me the necessary amount of funds on account of the commission, I shall remain totally unable to execute the orders of the commissioner.

I have received no payment upon my salary since I first entered the commission; and if you cannot furnish me funds as just estimated, but will have the goodness to allow me to draw from the treasury (as I am authorized by the commissioner to do) a sufficient portion of my salary to enable me to obey the orders of the commissioner to repair to San Diego, I can and will execute a voucher which shall secure the accounting offi-

cer against any charge of wrong-doing, as well as secure the public treasury against any possible loss.

I shall feel greatly obliged to you for an early answer; and in the mean time, I have the honor to be your obedient servant,

C. L. WELLER,
Disbursing Officer U. S. and Mexican Boundary Commission, and Agent and Attorney for John B. Weller.

Hon. JOHN M. CLAYTON,
Secretary of State.

CAMP RILEY, *December* 16, 1849.

SIR: In accordance with the authority delegated by you through me, Lieutenant Whipple has agreed with Mr. Salazar upon the point defined in the treaty as that where "the middle of the Rio Gila unites with the Colorado." He is the bearer of this agreement in writing, as well as of the topographical sketch, founded upon actual survey, which is referred to in that agreement.

The astronomical line forming the boundary from the mouth of the Gila towards the initial point upon the Pacific has been marked upon the ground for about one mile. I have myself marked the boundary line, from the initial point toward the point where the Gila unites with the Colorado, for about five miles, and erected, on elevated points, signals by which persons passing between the Cordilleras of California and the Pacific ocean will be able to tell when they pass the dividing line. These signals, however, it is presumed, will be replaced by such durable monuments as the commissioners may agree to erect.

Lieutenant Whipple is the bearer of a proposition from General Condé. I beg leave to suggest, if this proposition is accepted, it be with the modification that the Mexicans shall continue the line from the mouth of the Gila, as proposed by General Condé, and that we shall continue the line from this side, already commenced by me, until the two parties meet. The principal operations being now completed, to mark upon the ground the remainder of the line will be but a small affair. On our side it will require but a very small party—one officer, two assistants, and ten men. It may also be well to suggest that each party, American and Mexican, should have a duly authorized representative from the other side to accompany it and confirm its acts.

I am, very respectfully, your obedient servant,

W. H. EMORY,
Brevet Major United States Army.

Hon. JOHN B. WELLER,
United States Commissioner.

WASHINGTON CITY, *December* 24, 1849.

SIR: Your favor of the 20th instant, in answer to mine of the 15th, has been received. It informs me that "the commissioner is charged with the disbursement of the appropriation made by Congress for the boundary

service," and that "my application for pay on account of my salary as a subaltern in the commission should be made to him." And what I now wish to say in reply is, that all the commissioner desires is, that you will not intervene between him and the strict discharge of his duty, as set forth in your letter.

He cannot disburse said appropriation so long as the department refuses to allow it to pass into his hands, or dishonors his requisitions upon the department, given in discharge of liabilities incurred on account of the service. I am the disbursing officer of the commissioner, as will be seen in the commissioner's report on the organization of the commission, now in the State Department, and, as such, hold a requisition of the commissioner upon the department for a portion of said appropriation, which I am to disburse, agreeably to directions, on account of the service. And in the name and on behalf of the commissioner, I only ask that the discharge of his duty, as set forth in your letter, may be rendered possible by having placed under his control the appropriation made by Congress.

Your reference of me back to the commissioner for my pay is useless, since he cannot be allowed to draw from the treasury funds for the purpose. The commissioner, in recognition and part payment of my claim, put into my hands a draft upon the department, which has not been honored. If the commissioner's requisitions are to be dishonored, and yet it be made his duty to defray the expenses of the service, how, I ask, with all due deference, is it proposed he shall accomplish his mission? While so much time is being consumed in getting a successor to Mr. Weller installed, is it expected of him to keep up the service, or is a suspension desired? If the former, it cannot be done without funds; and if the latter, would it not be a saving to the government, and just and magnanimous towards Mr. Weller, to relieve him from the service unconditionally?

The commissioner asks you, through me, to be allowed to pay a portion of the salary of his disbursing officer, and for that purpose has drawn a draft for $500, which I will present at any time you may have the kindness to allow its payment.

With no desire to become importunate, but with a sincere belief that there has been some misconception of the facts of the case, my object in addressing you now is, to give you a clearer statement in regard to the draft I hold, hoping thereby to overcome your objections to its payment here.

With a respectful request to be informed, as soon as convenient, whether or not you still adhere to your former decision regarding the payment here in part of my salary, agreeably to the requisition of the commissioner, I have the honor to be your obedient servant,

C. L. WELLER.

Hon. Thomas Ewing,
Secretary of the Interior Department.

The two commissioners for the demarcation of the line of boundary between the United States and Mexico having given authority severally to C. José Salazar Ylarrequi, surveyor, astronomer, &c., on the part of Mexico, and A. W. Whipple, lieutenant United States topographical engineers and assistant astronomer, on the part of the United States, to decide upon

the point defined by the fifth article of the treaty of Guadalupe Hidalgo as "the middle of the river Gila, where it unites with the Colorado," we, therefore, having examined with attention the junction of the two rivers, mutually agree upon the point as represented in the accompanying sketch.

And it being impossible to measure the azimuth of the straight line of boundary toward the Pacific from the centre of the river, or from either of its immediate banks, on account of a hill which intervenes, we have, moreover, agreed to measure the azimuth line from a stone pier which stands upon the hill south from the initial point, at the junction of the two rivers, seventy-three and a half feet, and west from the same point one thousand and seventy feet, and to consider this pier as a monument upon the boundary line—this point being elected for the practical operations only, and it being understood as making no appreciable difference in the direction of the line of boundary.

JOSE SALAZAR YLARREQUI.
A. W. WHIPPLE.

At the Mouth of the Rio Gila, *November* 30, 1849.

San Diego, California, *January* 3, 1850.

Sir: The appropriation made by the act of Congress of the 12th of August, 1848, to defray the expenses of running and marking the boundary line between the United States and Mexico, is now entirely exhausted, and a temporary suspension of the work is unavoidable. An adjournment of the commission will therefore take place as soon as I can exchange communications with General Condé, who is now at the Colorado. In the mean time, I hope to be able to finish the work between this and the Gila river, so as to prevent the necessity of the commission to return to this point.

There is now about $11,000 due the employés, and my inability to pay them is seriously felt. It is hard, indeed, that gentlemen who have served the government faithfully, at rates less than one-half that paid to other employés in this country, should now be left destitute, six thousand miles from their homes. I can neither pay them their just dues nor transport them home. Settlements, however, will be made, and certificates given them showing the amount due, with an allowance for transportation to the point where employed. To those who may desire to remain in the commission, and whose services may be regarded as necessary in the prosecution of the work, conditional furloughs will be given.

I enclose herewith a survey of the mouth of the Gila river, with an explanatory letter from A. B. Gray, esq. After a careful examination of this plat, I directed Major Emory to request Lieutenant Whipple (who was then at the Colorado) to obtain, if possible, the consent of the Mexican commissioner to the point marked A as the one referred to in the treaty between the two governments. This message was received by Lieutenant Whipple about the time the Mexican commissioner reached the Gila; and it will be seen from the report of Major Emory (herewith enclosed) that the point thus designated was agreed to. The authority extended no further than to obtain the consent of the other party as soon as possible to the point indicated on the map. This explanation is deemed necessary, in

order to prevent the inference which might be drawn from the papers, that I had delegated to another the power to fix and determine that point in the boundary.

Official maps, executed in conformity with the requisitions of the treaty, will be prepared as soon as possible, and forwarded to the department.

Deeming the matter of sufficient importance, I have charged Wm. R. Kinder, the acting clerk of the commission, with the delivery of this communication; he is also intrusted with my vouchers for settlement at the Treasury.

I have the honor to be, very respectfully, your obedient servant,

JNO. B. WELLER, *U. S. Comm'r.*

Hon. JOHN M. CLAYTON, *Secretary of State.*

PANAMA, NEW GRANADA, *May* 23, 1849.

SIR: Being obliged to embark at once upon the steamer Oregon, leaving behind me the assistants who have been employed for service under Major W. H. Emory upon the boundary between the United States and Mexico, I deem it a duty to myself, and to the government of the United States, to transmit to the department at Washington the enclosed correspondence. It will, I hope, in some degree explain why those most important to the service for which Major Emory and myself have been detailed are obliged to remain in Panama. As I must this moment go on board the steamer, I have no time for explanations which I desire to make.

I have the honor to be, very respectfully, your obedient servant,

A. W. WHIPPLE,

Lt. U. S. Top. Engineers, and attached to U. S. B. C.

Hon. JOHN M. CLAYTON,

Secretary of State.

PANAMA, *May* 13, 1849.

SIR: The commissioner having informed me that he could obtain passage in the steamer Panama for only a small portion of the force intended to aid me in my duties on the boundary, I leave you in the city of Panama in charge of that portion which remains.

I have this day requested the commissioner to place you in funds, for the purpose of defraying the expense of detention in Panama and the transportation to San Diego, where it is desirable, indeed all-important, you should be with the whole party as speedily as possible.

To effect this, and preserve order, I delegate to you full authority to act according to your judgment.

Very respectfully, yours,

W. H. EMORY,

Brevet Major U. S. A., Chief Ast. and Top. Eng. B C.

Lieut. A. W. WHIPPLE,

Corps Topographical Engineers.

PANAMA, NEW GRANADA, *May* 14, 1849.

SIR: A detachment of Major Emory's party having been left at this place, under my charge, I beg leave to submit the following estimate for its subsistence during our probable detention in Panama:

For board and quarters for six persons attached to the boundary commission, 30 days, at $2 each per day	$360 00
For funds to cover contingent expenses, the purchase of candles, cooking utensils, &c., necessary for the use of my party while engaged upon boundary service in the field	140 00
	500 00

A requisition for the above is respectfully submitted by me.

Your obedient servant,

A. W. WHIPPLE,
Lieut. U. S. Army, and attached to U. S. B. C.

Hon. JOHN B. WELLER,
United States Commissioner.

PANAMA, *May* 17, 1849.

SIR: Under instructions from Major Emory, I have been left here in charge of that portion of his party which cannot obtain passage to San Diego in the steamer Panama.

From the instructions above mentioned the following is an extract:

"I have this day requested the commissioner to place you in funds for the purpose of defraying the expense of detention in Panama and the transportation to San Diego."

Having heard that you are to sail this day in the Panama, I take the liberty of asking to be supplied at once with the funds necessary for the subsistence and transportation of my party. I feel assured, that to one with your knowledge of military discipline, I need only call your attention to the fact that I have orders which must be executed, and that for the pecuniary means necessary to enable me to accomplish that with which I am charged, I can look to no one but the commissioner himself.

I have the honor to be, with high respect, your obedient servant,

A. W. WHIPPLE.

Hon. JOHN B. WELLER,
U. S. Commissioner.

PANAMA, NEW GRANADA, *May* 17, 1849.

SIR: In answer to your note of this date, I have to say that, although I expect to sail to-day on the Panama, I leave a quartermaster behind, whose duty it is to provide subsistence, transportation, &c., for those of the party who may be detained. He will leave, under my instructions, on the Oregon; and up to that time he will see that all the necessary expenses of the party are paid. If you, and those placed under your charge, are

detained beyond that time, funds will be left to defray all the necessary expenses.

Very respectfully, your obedient servant,

JOHN B. WELLER,
U. S. Commissioner.

Lieut. A. W. WHIPPLE,
United States Army.

PANAMA, *May* 17, 1849.

SIR: I send herewith a copy of a letter to Colonel Weller, and his reply, that you may understand the condition in which I am left by the commissioner.

In the first place, several days since, I made up my accounts for transportation and per diem allowance, according to the expressed desire of the commissioner, which, when presented, he was willing to take and send to the department at home, but refused to pay.

At the same time I presented, at his request, an estimate and requisition for the subsistence of those left under my charge. This requisition he never answered.

Finding myself about to be penniless, and absolutely out of the reach of assistance, the correspondence of this date followed.

I sent to him also a message by Mr. Gardner, with a request that he would send to me $400, and take a receipt such as follows: "Received of the Hon. John B. Weller, United States commissioner, the sum of $400, which sum is designed to pay for subsistence and transportation for myself to San Diego, and is to be refunded to the commissioner, or covered by proper vouchers." This he returned without comment.

I then wrote a note to Major Vinton, desiring to know from what appropriation my transportation should be paid, under the circumstances stated.

He returned a verbal message merely, referring me to Major McKinstry, who is now on the steamer, out of my reach.

Should I, therefore, be left here without funds to pay my expenses here and obtain transportation for myself and servant to San Diego, and should my communication with you, my commanding officer, be cut off, I shall be compelled to write the circumstances to Colonel Abert, and have the matter brought before the government, that the responsibility may rest where it belongs.

In case the person designated by the commissioner as a quartermaster promptly pays the expenses which I may deem necessary, I shall acquiesce; otherwise it will be necessary to inquire from higher authority whether an officer of the army must be subject to the control of an irresponsible person, without a commission, and unknown to the government of the United States.

I am, very respectfully, yours, &c., &c.,

A. W. WHIPPLE.

Major EMORY,
Chief Ast. and Top. Eng. Boundary Survey.

PANAMA, *May* 17, 1849.

SIR: In Washington I was detailed for duty upon the boundary between the United States and Mexico. Will you please to inform me from what appropriation I am to receive my mileage or travelling expenses to San Diego. If from the appropriation for the boundary survey, please refer me to the regulation which authorizes it; if from the quartermaster's department, I would be glad to know whether you are prepared to pay it.

Necessity is my excuse for troubling you so soon after your illness.

Very truly, yours, &c., &c.,

A. W. WHIPPLE,
Lieut. United States Army.

Major VINTON,
Quartermaster U. S. Army.

PANAMA, *May* 22, 1849.

SIR: The enclosed copy of instructions from Major Emory to myself will show you the position I occupy with reference to the United States and to the boundary commission.

The plan of operations upon the boundary line, submitted by Major Emory to the Secretary of State, requires immediately at San Diego the presence of not only myself, but also the civil assistants who have been assigned to duty in his department. I, therefore, as an officer of the army of the United States, feel it my duty to look to you, as consul for the same government, for assistance in obtaining passage for myself and servant in the first steamer which sails hence for San Diego.

The civil assistants referred to above are—

Dr. Charles Parry, computer.
Mr. Edward Ingraham, recorder and assistant computer.
Mr. G. Clinton Gardner, " " "
Mr. B. B. Ludlum, " " "
Mr. R. Rust.
Francis Holly, employé.

The services of the six persons above mentioned are important to the commission, and I shall much regret to leave any of them behind. But should it be impossible to obtain passage immediately for all, I would designate assistants Parry, Ingraham, and Gardner, and employé Holly, as indispensable for the performance of the astronomical duty on which the commencement of the survey of the United States and Mexican boundary line depends; and must, therefore, in behalf of the boundary commission, request your influence to secure for them a passage to San Diego in the steamer Oregon, which is about to sail from this place.

I have the honor to be, sir, very respectfully, your obedient servant,

A. W. WHIPPLE.

WILLIAM NELSON, Esq.,
Consul of the U. S., Panama, N. G.

PANAMA, *May* 23, 1849.

SIR: Your note of the 22d instant has been received. An arrangement had previously been made between Mr. O. S. Witherby and myself, by which it was determined that a certain number of persons attached to the boundary commission could be accommodated upon the steamer Oregon. That number was designated by Mr. Witherby, and the list arranged to his satisfaction.

Upon the strength of your recommendation, and the apparent necessity to the commission for the services of those designated by you, their names were added by me to the number already upon the list, although much against my desire, the boat being already too much crowded; and his list, with the prices of passage attached, was sent to Mr. Witherby for a draft to cover the amount.

This he refused, alleging he was the person designated by the commissioner to make the selection of those who were to go, and that a Mr. Conner, carpenter, and others, were more necessary to the service of the commission than those designated by you. He was willing to pay for their extra tickets, provided he could select the persons to receive them; but when informed that the steamer was already crowded, that tickets for the persons in question were only issued upon the supposed necessity of their presence in San Diego being indispensable, he preferred detaining the whole until the arrival of the steamer California, rather than any should go other than those selected by himself.

For yourself and servant I have secured passage.

In haste, respectfully, your obedient servant,

W. NELSON.

Lieutenant WHIPPLE,
United States Army, &c.

PANAMA, *May* 23, 1849.

SIR: Colonel Weller informed me that he left "a quartermaster behind," and that, when this quartermaster sailed for San Diego, funds would be left to defray all the necessary expenses of those of my party remaining.

Should I be right in supposing you to be the quartermaster referred to by Colonel Weller, I have to request you to inform me in whose hands funds will be left after your departure in the Oregon, and who will be responsible for the payment of the necessary expenses here, and transportation hence, of those under my charge.

At the same time, while I must for the want of funds submit, I strongly protest against your decision of yesterday, in refusing to pay for the passage of those young gentlemen of the commission whom the United States consul, at my request, agreed to add to the number of those designated by you for passage to San Diego in the steamer Oregon.

Very respectfully, your obedient servant,

A. W. WHIPPLE.

O. S. WITHERBY, Esq., *Panama.*

PANAMA, *May* 23, 1849.

DEAR SIR: Mr. Kaufman will act as quartermaster from this time, and will defray all necessary expense of the members of the commission. He will assign quarters to Messrs. Ingraham, Gardner, and Parry. Your accounts, up to this day, will be paid by me; you are *right* in supposing I am *quartermaster;* I should suppose you would have found it out before. Mr. Kaufman will have the full control of all matters hereafter.

Your obedient servant,

O. S. WITHERBY.

Lieutenant WHIPPLE.

SAN DIEGO, CALIFORNIA, *November* 17, 1849.

SIR: I have the honor to address the department, and ask permission to have filed the accompanying copies of letters which have passed between Mr. Weller and myself.

My late reconnoissance towards the Gila river, along the boundary, does not appear to give him satisfaction, although I contend that everything was accomplished that could have been expected, and under not the most favorable circumstances either.

I cannot but believe that other influences than those of an impartial nature now induce him to judge of my actions upon this line; and therefore I hope the department will permit me to refer my work, or such portion of it as is unsatisfactory to the present commissioner, to the government at Washington.

The most amicable relations exist between the Mexican commissioner and myself; and I am happy to state that every accommodation, and feelings of reciprocity, pass between the surveyor on the part of Mexico and myself, consistent with our duties to our respective governments.

I have the honor to remain, very respectfully, your obedient servant,

ANDREW B. GRAY,
United States Surveyor.

Hon. JOHN M. CLAYTON,
Secretary of State, Washington city, D. C.

SAN DIEGO, CALIFORNIA, *November* 7, 1849.

SIR: Having returned from my recent reconnoissance in the direction of the Gila river and the vicinity of the boundary, I have to report to you that I find there will be little or no difficulty in the demarcation of the line almost entire from the Pacific to the junction of said river, where it unites with the Colorado, and with sufficient accuracy for all the purposes required by the treaty—such as mapping, &c.

I procured such Indian guides as were supposed to have the best knowledge of the country over which I designed passing, and proceeded along one of their trails until I thought we had gone sufficiently far northward to preclude all doubt of the line in its true course reaching beyond that latitude.

Here the Indians, in order to descend the mountains to cross the portion of country which has been termed the desert, (a part of which the line must pass over,) wished to take us a long distance round, and still further north.

I determined to make an examination, and ascertain if it was not practicable to go down at a much nearer point to where I supposed the line would intersect this desert. For a day and a half we now remained encamped at the base of a prominent peak, the southernmost part very nearly of a conspicuous range of mountains rising greatly above even the elevated region we had thus far reached. I ascended this peak, and made a panoramic sketch of the topographical features of the surrounding country; also, obtained a good observation for determining its barometic height. Some miles distant was another mountain, apparently similarly situated, and which I suppose might be about equally far to the southward. Between these two peaks or mountains I believe the line must pass, and the one nearest our encampment I consider an important feature in the topography of the line for mapping, on account of its conspicuous position, as seen from the travelled road across the country from Sonora to California. Very nearly east now I directed our examination, and found that I could descend with the animals and packs, with apparently but little detention, to a level with the plain or "desert."

We descended without accident of any kind, and, on arriving at the bottom of the pass, found a cañon extending northerly and southerly. I had not time to examine the latter direction just then, or follow it very far, though I believe it runs some distance, possibly to where the line may cross; but I decided, from various reasons, to proceed northerly and easterly, our guides affecting to know nothing of the country we were now in. In about eight or ten miles we struck a road, which proved to be the main road from San Diego, and near where it crosses the bed of what is called "Cane creek." We continued on this road and reached the "Agua Nueva" encampment, which I estimated to be about two-thirds of the entire distance to the mouth of the Gila, or more.

At this point I met a large party of government officers and men, who had been a long time on their way to their place of destination. It was the party of Colonel Collier, consisting of himself, (the collector for San Francisco,) assistants, &c. They had learned of my having crossed the mountains and into the desert by a different route from the old road, and were very anxious to proceed to the settlements in the shortest possible time consistent with the safety of their packs, &c. They were on reduced rations, and their animals almost exhausted.

The officer commanding the company of dragoons (the escort) and others came to my camp to obtain from me any information in my power to give relative to the country we had gone over. I showed my rough notes and sketches, but did not advise, under the circumstances, their going by this pass. They, however, decided to attempt it, believing it almost impossible for them to reach San Diego by the wagon-road route in safety to their animals, &c.; and, at their earnest solicitation, I agreed to return to guide them in. I felt it my duty to do so, although I was particularly desirious to reach the mouth of the Gila, to observe myself its situation, and to make a reconnoissance of it, preparatory to a decision of the point where its middle unites with the Colorado, and the mapping of the same.

I would not send my assistant back to guide this party, because I wished

to be there myself, in case of any accident or obstacle occurring, it being the first time that I believed its ascent had ever been attempted with packs, &c. I therefore gave directions to Mr. Forster, my assistant, to continue on, to make the reconnoissance of the remainder of the line, and, on arriving at the Gila, to make such a survey and exploration of its mouth as the time would admit of, and which would enable me to decide what further course to pursue in fixing its position, &c.

On returning from the "Agua Nueva" encampment, I followed for a long distance the direction I supposed the boundary would take, (from all the data we had to go upon,) leaving the road some distance to the northward. Being by myself, and night overtaking me before I had completed the reconnoissance to connect with the point where I thought the line would come down the mountains, I unfortunately became entangled amid some precipitous cliffs. Before I could extricate myself entirely, it being dark, my animal fell and left me afoot. I, however, came up with the party the next day. This was the only accident occurring of any note on our expedition.

Mr. Forster returned within the time our escort was asked for, (twenty days,) from the Gila, and everything has been accomplished that the circumstances occurring would permit, and much information obtained relative to the topography of the country in the vicinity of the line, and the practicability of a very correct map being made of it.

From the report of my assistant of the reconnoissance and survey made by him under my direction, particularly of the mouth of the Gila, I find that it may be probable that a difference of opinion might arise as to the position of the precise point of the junction of the river Gila, where it unites with the Colorado.

The surveyor on the part of Mexico having now gone over, and expressing to me his desire that I should be upon, the ground at the same time with himself, I respectfully request that I may be furnished with the requisite animals, &c., and that you agree with me in a continuance of the survey and exploration of this line. It can be followed from the river to its intersection with the mountains on this side of the plain or "desert," and notes accurately taken, without any difficulty, and in comparatively a short space of time, and before the rains shall have set in sufficiently to drive us from the field.

I deem it important that this should be accomplished, because it is not entirely a barren plain, but in parts capable of sustaining a strong vegetation.

It is also cut up with dry arroyas and beds of streams, which at times may flow with water; and in the vicinity is a heavily-travelled highway for our own people, as well as those of the adjoining republic. The expense would be comparatively little, knowing now the exact character of the country it passes through—what facilities we can depend upon at the various points in the neighborhood; and the results would be in direct conformity with the treaty.

If the azimuth of the line has been determined from the results of the latitude and longitude of the extremes, as agreed by the joint commission should be made, and I am furnished with the same from the party having that duty to perform, I will be better enabled to pursue the precise direction; or, if the results of the observations made to fix these points geographically are given me, I will determine the azimuth myself.

I should expect to take but a small party with me; and, with what we now have of notes and surveys made, and what may yet be accomplished, I believe all might be obtained requisite for mapping and planning of the line.

I remain, very respectfully, your obedient servant,

A. B. GRAY,
United States Surveyor.

Hon. JOHN B. WELLER,
United States Commissioner.

SAN DIEGO, CALIFORNIA, *November* 8, 1849.

SIR: Your communication of yesterday has been received. Without entering into any discussion upon the subject, I must be permitted to say that your reasons for returning without making the personal examination of the mouth of the Gila river (for which your expedition was started) are far from being satisfactory to my mind. I have felt, and still feel, the necessity for an accurate survey of the point at which the Gila empties into the Colorado; but as you have failed to furnish it, I presume I will be able to obtain the necessary information from Lieutenant Whipple, on his return. For the present, at least, I decline, for various reasons, sending out a detachment from your party.

Respectfully, your obedient servant,

JNO. B. WELLER, *U. S. Comm'r.*

A. B. GRAY, Esq., *U. S. Surveyor.*

SAN DIEGO, CALIFORNIA, *November* 9, 1849.

SIR: Last evening I received your communication in answer to mine of the 7th instant. I am not desirous of entering into a discussion relative to my recent reconnoissance, believing myself to have been the best judge of the proper disposition of my party while in the field, &c. Still I regret that you do not seem pleased at what has been done by the expedition, when every exertion was used by myself and party to accomplish all that was expected.

It was but for twenty days, and we had to pass from the Pacific to the Colorada river and back in this time, to sketch in the topography of the country along the boundary, as near as practicable, and to fix the mouth and vicinity of the Gila for mapping, &c. A desert, and an impassable descent from mountains, it was supposed we would encounter; and great precaution was necessary for the safety of the party.

You will agree with me, I am sure, in this, that the situation of the mouth of the river Gila, as regards a difference of opinion arising relative to the exact position of the boundary at that point, is different from what we had understood, as will be seen by reference to your letter to me of the 14th of August, wherein you state that you are "informed that the precise point at which the Gila empties into the Colorado is so distinctly marked that there will be no difficulty whatever in fixing it;" and this

was the only data we had to go upon when we started out. I did not know to the contrary until my assistant, Mr. Forster, reported to me his reconnoissance of the mouth of that river.

Everything has been accomplished of the surveys and reconnoissances that I expected when we left, and I am now preparing a sketch of the triangulations made of the mouth of the Gila. I will here state, that the time being limited (a few days only) for my party to remain there, my assistant, Mr. Forster, made a joint reconnoissance and survey in connexion with Lieutenant Whipple; and, so soon as the plan of the same is made out, I will present it to you, with reports, &c. I hope this will meet with your approval.

Very respectfully, your obedient servant,

A. B. GRAY,
United States Surveyor, Mexican Boundary.

Hon. JOHN B. WELLER,
United States Commissioner.

SAN DIEGO, *November* 14, 1849.

SIR: I herewith submit to you a sketch or plan of the junction of the Rio Gila, where it unites with the Colorado, as referred to in my communication of the 9th instant.

It is made from the notes and topography of the reconnoissance and survey of that point by my assistant, Mr. Forster, (aided by Lieutenant Whipple,) in our late expedition.

B and C are two points which at present might be considered the ends of the banks which form the Gila at its embouchure into the Colorado; and A, another point which I have placed as about the position where the two waters mingle, or very nearly where the middle of the Rio Gila unites with the Colorado. The latter river now being low, the current is swiftest between the island and main land, and strikes the water of the Gila at A, but when higher the two waters may join or mingle some distance further north.

The land on the west side of the Gila at B is constantly wearing away by the action of the currents, being low and soft; consequently, the position of that point changes, as also the configuration of the mouth of the Gila; and the point D may very shortly be (if not now considered) the end of the southern or western bank of that river. The middle, therefore, to-day, may not be the same as yesterday.

The waters, after mingling, converge and break through a dyke of feltzspatic rock, about seven hundred feet across; and if it is decided that the point where the middle of the river Gila unites with the Colorado is at A, the line of boundary in its course from the Pacific will probably fall to the southward of the bluffs, and thus include in our territory both sides of the Colorado, at the present emigrant crossing. These elevated heights may be considered important, not only in a civil but military point of view.

The rains and weather having been so severe for some days, I have been prevented from drawing, &c., in my tents, or the accompanying

plan would have been submitted earlier. I am preparing my notes and sketches now for mapping our further reconnoissances along the boundary line, and when completed they will be properly submitted.

Very respectfully, your obedient servant,

A. B. GRAY,
United States Surveyor under treaty with Mexico.

Hon. JOHN B. WELLER,
United States Commissioner.

The sum appropriated by the act of Congress of August 12, 1848, towards defraying the expenses of running and marking the boundary line between the United States and Mexico under the treaty of Guadalupe Hidalgo, was		$50,000
Of this appropriation commissioner Weller's drafts have been paid to the amount of	$33,325	
Drafts have also been presented, but not yet paid, to the amount of	14,000	
Making the whole amount for which drafts have been received, paid and unpaid	47,325	47,325
Leaving of the appropriation a balance of		2,675

From an abstract of disbursements made by commissioner Weller, furnished by the Fifth Auditor of the Treasury, and a copy of which is hereto attached, it appears that the amount of the vouchers filed by him is	$43,837 18	
Which embraces no charge for the salary of himself or Mr. Gray, the surveyor, subsequent to July 3, 1849.		
And it appears from commissioner Weller's report of the 3d ultimo that there was also then due to his employés about	11,000	
Making the amount actually disbursed and liabilities incurred up to the date of the last report	54,837 18	54,837 18
Appropriation	50,000 00	
Excess over appropriation	4,837 18	54,837 18

TREASURY DEPARTMENT,
Fifth Auditor's Office, February 25, 1850.

SIR: In compliance with the resolution of the Senate of the 19th instant, on the subject of the boundary line with Mexico, a copy of which was

referred to me, I have the honor to enclose an abstract containing in detail the expenses paid by John B. Weller, esq., the commissioner for running the line, for what purpose paid, and the names of the persons to whom paid, taken from the accounts of that officer, which have been rendered to this office for settlement.

This is the only part of the information sought by the resolution which can be afforded by this office.

I have the honor to be, very respectfully, sir, your obedient servant,

S. PLEASONTON.

Hon. THOMAS EWING,
Secretary of the Interior.

Abstract of the disbursements made by John B. Weller, the United States Commissioner to run the boundary line between the United States and Mexico, as per his accounts and vouchers filed in the office of the Fifth Auditor of the Treasury, viz:

F. X. Weidman & Co., soap and candles	$49 84
Wm. W. McCormick, camp equipage	44 30
John Devereaux, cooking utensils	11 85
C. Badger, coffee	26 50
Dunning & Moore, beef	17 62
Dudley & Nelson, supplies	9 50
Denton & Barrett, groceries and supplies	80 55
George Dominick, beef and pork	214 13
Lot Pugh & Co., pork	131 00
D. Banting, cheese, &c.	25 61
Converse & Co., beans and rice	32 98
R. Merrill, jr., bread	271 26
Porter & Hoover, butter	107 58
C. L. Weller, blankets	42 00
Magee & Kneap, supplies	98 50
Stark, Day & Co., camp supplies	1 38
Henderson & Gaines, camp supplies	12 30
J. Waterman & Co., hatchets, nails, screws, &c.	13 12
Moses Conner, lumber, &c.	2 50
E. K. Chamberlain, camp equipage	24 00
L. Mount, board	26 16
U. S. steamship Alabama, transportation	487 00
M. Murray, board of self and party	214 70
O. Smith, transportation	98 75
Julian De Miranda, boarding at Gorgona	190 75
Michel Devine, boarding at Gorgona	24 00
Miguel Jose de Miranda, boarding at Gorgona	120 00
Juana Juez Timenez, subsistence party of Emory	26 00
O. Smith, U. S. quartermaster, subsistence, Panama	89 75
J. Jansen, subsistence, Panama	1,000 50
Simon Esquirel, subsistence, Panama	29 30
Francisco de la Barrera, board and rent	17 00
Malenla Duleon, rent, Panama	30 00

J. J. Victoria y Eliavarrie, rent, Panama	$96 00
Petra Amador, rent, Panama	225 00
Jose Arosemenas, rent, Panama	21 00
Antonio Jubiatta, rent, Panama	36 00
Micaella Ducer, rent, Panama	28 00
Blas Arosmeneg, rent, Panama	105 50
Francisco Jimenes de Arze, rent, coal, and wood, Panama.	258 75
Captain H. O'Donnell, quartermaster, provisions, camp equipage, &c., at New York	1,910 13
Steamboat Webster, transportation line to New Orleans	256 55
Steamer Orus, transportation, Chagres to Gorgona	507 25
Wm. W. McCormick, transportation, Chagres to Gorgona	38 52
Alfred A. Wood, transportation, Chagres to Gorgona	88 50
Michael Subreti, transportation, Chagres to Gorgona	2 50
C. Sodada, canoes for astronomical instruments	34 00
R. H. Leetcht & Co., transportation baggage and stores	1,580 00
Ciriaco Perez, transportation baggage and stores	108 00
Cruces Bosques, transportation baggage and stores	30 00
Manuel Siebestre Moreno, transportation baggage and stores.	12 00
Bruno Perez, transportation baggage and stores	40 00
Sundry peons, transportation, vouchers 12 to 53 inclusive	705 75
Brig Two Friends, passage and freight from Panama to San Francisco	1,464 75
Steamship Panama, passage and freight to San Diego	1,600 00
Steamship California, passage and freight to San Diego	2,750 00
Zachrisson, Nelson & Co., passage and freight to San Diego	1,450 00
William R. Kinder, employé, at $400 per annum	53 05
Wm. T. De Bree, surveyors' corps, at $400 per annum	42 10
C. J. Whiting, assistant surveyor, at $1,800 per annum	248 63
Francis Stone, employé, at $400 per annum	50 87
Edward Ingraham, Major Emory's corps, at $400 per annum	12 05½
O. S. Witherby, employé, at $400 per annum	33 33½
Do acting quartermaster and commissary, at $1,000 per annum	43 83
Charles C. Parry, assistant computer Major Emory, at $600 per annum	37 80
Moses M. Conner, carpenter, at $1 50 per day	69 00
Urbano Idalgo, servant, at $12 per month	12 00
William Harvey, employé, at $30 per month	60 00
M. R. Coleman, employé, at $400 per annum	53 05
James Mooney, jr., principal computer Major Emory, at $1,000 per annum	105 25
Mary Kirk, washerwoman, at $1 50 per day	15 00
James Mooney, jr., principal computer, at $1,000 per annum.	83 33
G. C. Gardner, jr., assistant Major Emory, at $400 per annum	50 86
F. M. Holley, servant Major Emory, at $25 per month	9 04
H. H. Robinson, secretary to commissioner, at $1,500 per annum	219 52
Gilbert Murdock, employé, at $400 per annum	50 87
E. K. Chamberlain, surgeon, at $1,200 per annum	162 46
Henry Clayton, draftsman, at $1,000 per annum	121 69

John H. Forster, assistant surveyor, at $800 per annum....	$117 06
Dennis Gahagan, at $1,000 per annum.....	83 33
George F. Hooper, sub-assistant Major Emory, at $800 per annum.....	105 20
Frederick Emory, sub-assistant Major Emory, at $800 per annum.....	98 63
John M. Robinson, at $400 per annum.....	47 13
Wm. A. Taylor, assistant surveyor, at $800 per annum.....	101 73
Louis Kzouzewski, at $30 per month.....	30 00
George F. Hooper, sub-assistant Major Emory, at $800 per annum.....	66 66
Frederick Emory, sub-assistant Major Emory, at $800 per annum.....	66 66
Dennis Gahagan, interpreter, at $1,000 per annum.....	83 33
Gilbert Murdock, employé, at $400 per annum.....	33 34
F. M. Holley, Major Emory's corps, at $25 per month.....	25 00
John McC. Robinson, employé, at $400 per annum.....	33 33
H. H. Robinson, secretary to commissioner, at $1,500 per annum.....	125 00
Edward Ingraham, assistant Major Emory, at $400 per annum.....	33 33
G. C. Gardner, second assistant, at $400 per annum.....	33 33
William D. Miller, employé, at $30 per month.....	30 00
C. J. Whiting, principal assistant surveyor, at $1,800 per annum.....	150 00
Louis Kzouzewski, servant and cook, at $30 per month....	90 00
A. B. Gray, surveyor, for transportation and expenses from New York to Panama, and purchase of articles necessary to him as such.....	1,099 17
Joseph Kaufman, transportation and expenses.....	40 00
J. Harris Forster, asssistant surveyor, transportation and expenses.....	140 71
George F. Hooper, assistant surveyor, transportation and expenses.....	140 13
William T. De Bree, assistant surveyor, transportation and expenses.....	70 63
Charles J. Whiting, principal assistant, transportation.....	169 55
Brevet Major J. M. McKinstry, transportation, &c.....	185 00
Frederick Emory, assistant surveyor, transportation and passage.....	149 99
O. S. Witherby, quartermaster, provisions, &c.....	392 67
Steamship Panama, passage and transportation.....	675 00
Sundry peons, transportation, freight, &c.....	163 85
C. Augustus Smith, hospital stores.....	276 85
R. C. Little & Co., hospital stores.....	61 00
C. L. Weller, hospital stores.....	107 00
James C. Wingard, arms and accoutrements.....	125 00
Dennis Mahoney, arms and accoutrements.....	35 00
R. G. Reefer, repairing theodolite.....	2 00
William Bond & Son, mathematical instruments.....	127 56
A. W. Whipple, transportation of instruments.....	116 62
Jacob Erust, stationery.....	51 85

Thomas Maxwell, stationery	$8 50
Juan Mendoza, duties on supplies, &c.	8 18
Juan Mendoza, duties on supplies, &c.	6 75
Z. Nelson & Co., premium on exchange	200 00
Moses M. Conner, lumber	6 00
Frederick Harrison, lumber	2 50
James Nooney, travelling expenses and subsistence of part of Major Emory's corps	160 57
Major Emory's corps, travelling expenses and subsistence to place of embarcation	452 02
H. O. Donnell, quartermaster to commission	135 00
William D. Miller, Major Emory's corps	55 51
Bernard Rice, cook and laborer	16 00
Edward Brown, transportation	30 00
Andrew B. Gray, surveyor, for self and party, some of the preceding employés for services, commutation, transportation, in the field, &c	2,968 81
Brevet Major Emory, chief astronomer, for mathematical instruments and stationery, commutation, services in the field of some of the before-mentioned employés, transportation, &c.	3,111 03
Brevet Major J. McKinstry, United States quartermaster, and some of the foregoing employés, for commutation, transportation, subsistence, services in the field, &c.	3,156 96
Steamship Panama, transportation, &c.	450 00
Josiah Simpson, captain barque Suliote, from San Francisco to San Diego	1,426 50
Ramon Arquillo, beef for commission	75 97
Charles J. Whiting, principal assistant surveyor, for subsistence, transportation, commutation, freight, and services of self and corps on a detached reconnoissance	2,823 42
Andrew B. Gray and Charles J. Whiting, surveyor and principal assistant surveyor, and their parties, for services in the field	4,635 55
E. K. Chamberlain, camp equipage	24 00
Magee and Kness, camp equipage	98 00
Morse, Dunning & Co., beef for commission	17 62
Captain Hardcastle, United States topographical engineer, commutation	92 00
Lieutenant Whipple, United States topographical engineer, commutation	108 00
	43,837 18

In the above there does not appear to be any charge for the salary of Colonel Weller, and for that of A. B. Gray only until the 3d of July, 1849.

TREASURY DEPARTMENT,
Fifth Auditor's Office, February 26, 1850.